DOCUMENT FILE

NOTE

SEE 765.84/3543 FOR Despatch #877

FROM Turkey (Skinner) DATED December 30, 1935.

TO NAME 1—1127 GPO

REGARDING: Fortification of the Straits. European press reports that Turkey, in replying to Great Britain that she would join in any common League action involving the Mediterranean, set forth the condition that she would do so provided she might proceed to the- Denied by Acting Foreign Minister.

wth

767.68119/889

889

DEPARTMENT OF STATE

DIVISION OF COMMUNICATIONS AND RECORDS

April 3,1939

N.E.
Mr. Hayes:

Despatch #1772, July 9,1936 from Italy (Kirk) concerning the Straits Convention and the Mediterranean situation is charged to L.E. (Miss Pite), March 15,1939. (767.68119/950)

Several papers are charged to N.E. (either to you or to Mr. Alling), Sept. 13, 1937.

lec

THE UNDER SECRETARY
MAR 25 1936
DEPARTMENT OF STATE

DEPARTMENT OF STATE

DEPARTMENT OF STATE
RECEIVED
MAR 27 1936
DIVISION OF
COMMUNICATIONS AND RECORDS

DIVISION OF NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
MAR 26 1936
DIVISION OF
NEAR EASTERN AFFAIRS

March 25, 1936.

Mr. Phillips.

767.68119

I think that you will be interested in reading the attached memorandum setting forth the history of the Straits Convention and our own relation thereto. In this connection it will be recalled that for some time past the Turks have shown a clear disposition to rid themselves of the obligations of that Convention and to resume full sovereignty over the Straits and the demilitarized zones.

I have little doubt that one of the chief reasons for the announcement made yesterday at London was the recent agreement between Great Britain and Turkey for mutual assistance in the Mediterranean in the event of an attack by Italy as a result of the imposition of sanctions. It is quite conceivable that in return for those Turkish assurances the British agreed to soften or cease entirely their opposition to an abrogation of the Straits Convention. As the leading light in the Balkan Entente Turkey need fear little opposition to the abrogation of the Convention from its Balkan friends, particularly Greece and Rumania, both of whom have a strong

DEPARTMENT OF STATE
MAR 27 1936

interest

767.68119/890

interest in the important waterway. Soviet Russia, of course, has for some time supported the Turkish position in favor of abrogating the Convention.

With Great Britain, Soviet Russia, Greece and Rumania all showing little opposition to the Turkish move it is evident that the Turks are likely to succeed in their plans.

Wallace Murray.

TELEGRAM RECEIVED

DIVISION OF EASTERN MEDITERRANEAN AFFAIRS
APR 3 - 1936
DEPARTMENT OF STATE

JS 1—1336

This telegram must be closely paraphrased before being communicated to anyone (B)

FROM

MOSCOW

Dated April 3, 1936

Rec'd 6:40 a.m.

Secretary of State,

Washington, D.C.

DEPARTMENT OF STATE
APR 3 - 1936
DIVISION OF NEAR EASTERN AFFAIRS

96, April 3, 8 a.m.

The Turkish Ambassador said to me last night that he believed his Government intended very shortly to denounce the provisions of the treaty of Sevres which forbid the fortification of the Straits.

BULLITT

JS

FILED
APR 7 1936

Obviously the Treaty of Lausanne is meant since the Treaty of Sèvres never entered into force.

767.68119/891

Note 763.62119

TELEGRAM RECEIVED

1—1336

FROM

McL

Gray.

Istanbul.

Dated April 11, 1936.

Received 11 a.m.

Secretary of State,

Washington.

11, April 11 1 p.m.

Minister for Foreign Affairs last night handed Shaw for information copy of note on Straits regime addressed to all governments which took part in negotiations for Lausanne Convention. He stated Turkish Ambassador had been instructed to inform Department today. I assume he will communicate to you text of note. In conversation with Shaw Minister particularly stressed Turkey's intention to deal with the matter in the most liberal spirit with a view to development of commercial navigation through Straits.

KLP

MAC MURRAY

FILED
APR 13 1936

767.68119/892

TELEGRAM RECEIVED

Gray

DIVISION OF EASTERN EUROPEAN AFFAIRS
APR 15 1936
DEPARTMENT OF STATE

DIVISION OF WESTERN EUROPEAN AFFAIRS
APR 14 1936
DEPARTMENT OF STATE

FROM

GENEVA

Dated April 11, 1936,

Rec'd 4:50 p.m.

Secretary of State,

Washington.

DEPARTMENT OF STATE
APR 13 1936
DIVISION OF FAR EASTERN AFFAIRS

113. April 11, 5 p.m.

Turkey has officially communicated to the League a copy of the note it has addressed to the following states: Great Britain, Bulgaria, France, Greece, Italy, Japan, Rumania, Russia and Yugoslavia.

The note reviews the change in the political and military situation in Europe since the treaty was signed and emphasizes (one) that in lieu of the general disarmament which was then envisaged an intense rearmament is taking place; (two) that experience has shown that the present machinery for collective guarantees is too slow to provide security for Turkish territory; (three) that the position of the four great powers renders at least doubtful their effective military collaboration in carrying out the joint guarantee.

The note concludes as follows: "* * * * the Government of the Republic has the honor to inform the powers which took part in the negotiations for the conclusion of the Straits Convention that it is prepared to enter into negotiations with a view to arriving in the near future at the conclusion of agreements for regulation of the regime of the Straits

767.68119/893

FILED

APR 16 1936

Straits under the conditions of security which are indispensable for the inviolability of Turkey's territory and in the most liberal spirit for the constant development of commercial navigation between the Mediterranean and the Black Sea."

GILBERT

SMS NPL

DIVISION OF EASTERN EUROPEAN AFFAIRS
APR 20 1936
DEPARTMENT OF STATE

TELEGRAM RECEIVED

Gray

GENEVA (PARTAIR)

Dated April 15, 1936.

1—1336

FROM
DIVISION OF WESTERN EUROPEAN AFFAIRS
APR 20 1936
DEPARTMENT OF STATE

Rec'd apr. 16, 6 p.m.

Secretary of State,

Washington.

APR 17 1936
DIVISION OF EASTERN EUROPEAN AFFAIRS

117, April 15, 3 p.m.

Consulate's 113, April 11, 5 p.m.

Although I can find no definite basis for this belief, general feeling seen here that the matter of the demilitarized zone of the Straits will in some manner be brought before the May council either by Turkey or by some other power.

Should this happen the course the matter would take is by no means clear. Although the representatives of the most interested powers here express opinions, the position of their states does not seem as yet in any way crystalized. The secretariat view is that the Turkish notification is a salutary influence in international affairs in contrast to the recent series of unilateral denunciation of treaties and the hope is particularly expressed that it may presage action under Article Nineteen of the Covenant which would bring the League usefully into play and increase its prestige. Among the representatives of the most interested powers, I find currents of view countenancing national political interests such as the favorable attitude toward the Turkish position on the part of the Balkan Entente running counter in the same field to their basic policy of anti-revisionism.

GILBERT.

SMS NPL

767.68119/894
FILED
APR 21 1936

DOCUMENT FILE

NOTE

SEE 767.90g12-Non-Aggression/12 FOR Tel#9 noon

FROM Iraq (Knabenshue) DATED April 14, 1936.

TO NAME

1—1127 ofo

REGARDING:

Turkey demanding an early signature of the Near East Non-Aggression Pact due to their demands for a re-arming of the Straits Settlement.

b

767.68119/895

895

767.68119

RR
This telegram must be closely paraphrased before being communicated to anyone (A)

Baghdad

Dated April 14, 1936.

Received 9:10 a. m.

Secretary of State,

Washington.

9, April 14, noon.

It is rumored in diplomatic circles that Turkey is pressing for early signature at Baghdad of Near East non-aggression pact and that the immediate impelling reason therefor arises from Turkey's demands re Dardanelles.

RR

KNABENSHUE

767.68119

767.9612 Non-Aggression/12

SECRETARY OF STATE
APR 11 1936
NOTED

DEPARTMENT OF STATE

RECEIVED
DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

1936 APR 13 PM 3 58

April 11, 1936.

APR 13 1936
DIVISION OF
NEAR EASTERN AFFAIRS

S

Mr. Secretary:

DIVISION OF
COMMUNICATIONS
AND RECORDS

767.68119

I understand that the Turkish Ambassador is to call on you today at 12 o'clock. It seems not unlikely that he may be coming to see you regarding one or both of the following matters:

MAY 12 1936
767.68119/896

(1) In view of the recent designation of the Turkish Embassy in Washington to protect Iranian interests in this country subsequent to the withdrawal of all Iranian representatives, it may be that the Ambassador has been authorized to communicate to you the Iranian reply to our recent tentative inquiry made of the Iranian Government, through our Legation at Teheran, as to whether it would view with favor the sending of a special American envoy to assure the Shah of Iran of the good-will and sympathy of the American Government and people with a view to relieving the present strain in our relations with Iran.

note
765.9167

While a favorable reply from the Iranian Government on this subject would of course be welcome, I do not feel that an evasive, or even negative, reply need cause us any particular worry as long as no steps are taken by the Shah to interfere with the present friendly and normal relations between our Legation at Teheran and the Iranian Government.

FILED
MAY 12 1936

(2) I think it is more likely that the Turkish Ambassador may

may have been instructed to inform you of the decision of his Government to make a formal request of the Powers signatory to the Treaty of Lausanne to agree to a modification of the Convention relating to the non-fortification of the Straits and the demilitarized zones. This decision was apparently taken yesterday at Ankara, and the New York TIMES of today states that the decision was communicated forthwith to the diplomatic representatives at Ankara of the Powers concerned.

As you will recall, we are not a signatory to the Treaty of Lausanne which was signed in 1923 by the four leading Allied Powers - Great Britain, France, Italy and Japan - and Turkey, along with Greece, Bulgaria and Yugoslavia after the Greek defeat by the Turks in Asia Minor.

One of the most important features of the Lausanne Treaty was the Straits Convention, negotiated at the same time, which, although removing many restrictions placed on Turkey at the end of the World War, maintained demilitarized zones on either side of the Straits.

This Government has been unwilling to adhere to the Straits Convention for the reason that it did not wish to become involved in the protection of the Straits. Our adherence was furthermore not necessary to assure our vessels the same right

of

of passage through the Straits as is enjoyed by the signatories to the Convention.

Wallace Murray.

WSM/GC

DEPARTMENT OF STATE

RECEIVED
DEPARTMENT OF STATE

THE SECRETARY

1936 APR 14 PM 1 36

DIVISION OF COMMUNICATIONS

April 11, 1936.

DEPARTMENT OF STATE
APR 23 1936
DIVISION OF NEAR EASTERN AFFAIRS

767.68119

MEMORANDUM OF CONVERSATION BETWEEN SECRETARY HULL AND THE TURKISH AMBASSADOR, MR. MEHMET MUNIR ERTEGUN.

Fortification of the Dardanelles.

The Ambassador of Turkey called and handed me a paper, or memorandum, giving this Government what purports to be a copy, in French, of the representations that the Turkish Government is making to the parties to the Lausanne Treaty, having for its object the fortification by Turkey of the Dardanelles.

I thanked the Ambassador, and added that while this Government is not a party to the Lausanne Treaty it is naturally interested in all important phases of world affairs, including developments in the Ambassador's part of the world, and that my Government appreciates the courtesy of his Government in giving us at this time a copy of its representations as aforesaid.

FILED
APR 14 1936

C.H.

S CH:HR

767.68119/897

(Translation)

In 1923, when Turkey consented, at Lausanne, to sign the Straits Convention establishing liberty of passage and demilitarization, the general situation of Europe, from the political and military points of view, presented an aspect totally different from that which she presents today.

Europe was moving towards disarmament and her political organization was to be based solely on the immutable principles of law sanctioned by international engagements. Land, sea and air forces were much less formidable and their tendencies were in the direction of reduction. At that time Turkey signed the respective clauses of the Straits Convention with the assurance given her by Article 18 which had just added, to the guarantee of Article 10 of the Covenant of the League of Nations, the engagement that the signatories and, in any case, four great Powers undertook to assume jointly and by all means decided upon for that purpose by the Council of the League, the defense of the Straits when menaced.

Since then the situation which existed in the Black Sea has come to present an aspect of concord reassuring in every way, while uncertainty has settled little by little over the Mediterranean, Naval Conferences have

shown

shown a development in the direction of rearmament, and maritime shipyards will soon pour into the sea ships of a power never reached before. In the domain of the air, the curve is dizzily rising, and continental and insular fortifications are constantly multiplied.

During this complete change of conditions the only guarantee which was to have prevented entire insecurity of the Straits has just disappeared in its turn, and while the most interested Powers proclaim the existence of a threat of a general conflagration, Turkey, at her most vulnerable point, finds herself exposed to the worst dangers without any counterpoise to that disquieting insecurity.

In acceding to the pressing requests which were addressed to her, Turkey accepted the demilitarization of the Straits at that time entirely occupied by foreign forces, after having long weighed, under the existing conditions, the value of the minimum guarantees which were granted to her, "in order that the demilitarization of the Straits and of the contiguous zones shall not constitute an unjustifiable danger to the military security of Turkey".

To Article 18 of the Convention which sanctioned the security guarantee indissolubly linked to the ensemble of the clauses governing the régime of the

Straits,

Straits, the signatories attached such great importance that they solemnly affirmed that the guarantee in question formed an integral part of the clauses of demilitarization and of freedom of passage.

This is equivalent to saying that without an effective, practical and efficacious assurance there could not have been imposed on Turkey a diminution of sovereignty over a part of her territory the security of which is indispensable to that of the whole country.

It is likewise obvious that if this guarantee becomes inoperative or uncertain the equilibrium of the whole Convention is destroyed to the prejudice of Turkey and to the prejudice of the peace of Europe.

Now, the political crises have clearly demonstrated that the present mechanism of collective guarantee goes into motion too slowly and that a tardy decision is of such a character as to cause the loss, in most cases, of the benefit of an international action. It is for this reason that Turkey, like many other countries at the present time, could not, in 1923, content herself with the collective guarantee which the Covenant would have assured to her as soon as she became a member of the League of Nations, that she considered insufficient the collective guarantee of all the signatories of the

Straits

Straits Convention and that only the joint guarantee of the four great Powers seemed to her capable of assuring, under the conditions then prevailing, the minimum of security indispensable to her territorial integrity.

But if that minimum itself is weakened or rendered problematic by political and military circumstances entirely different from those existing when it was established, the Government of the Republic cannot, without rendering itself guilty of grave negligence, expose the whole country to a sudden and irreparable attack (coup de main).

The position of the guarantors of the security of the Straits with respect to the League of Nations, the special circumstances which render at least doubtful the military and effective collaboration of those guarantors as regards the objective assigned to them, are factors which have overturned the general economy of the 1923 Convention.

Today it cannot be affirmed that the security of the Straits is still assured by a real guarantee and Turkey cannot be asked to remain indifferent to the possibility of a dangerous default.

It should be added to these considerations that the Straits Convention only mentions the states of peace and war,

war, Turkey being a neutral or belligerent in this latter case, without contemplating the possibility of a special or general threat of war and permitting Turkey to then take steps for her legitimate defense. Now, it is fully demonstrated today that the most delicate phase of an external danger is precisely that phase of menace, there being a possibility that a state of war might supervene unexpectedly and without any formality.

This lacuna can by itself deprive the guarantees envisaged of their efficacy whatever may be the value of the latter.

From the beginning of its existence, the Turkish Republic has marked out for itself a policy of peace and understanding the realization of which in all fields has not failed to impose upon her sacrifices which have often been heavy.

The Turkish Government has shown under the many circumstances which have presented themselves during the last decade a spirit of conciliation, of fidelity to its engagements and of sincere attachment to the cause of peace which has been appreciated by all the Powers.

The security which Turkey has always assured to others she has a right to claim for herself.

Circumstances independent of the will of the signatories of Lausanne have rendered inoperative clauses laid

down

down in complete good faith, and as the stake is the existence of Turkey and the security of all her territory, the Government of the Republic may be led to take before the nation the responsibility incumbent upon it by adopting measures dictated by the imperious necessity of circumstances.

Taking into view the circumstances set forth above and believing with good reason that the provisions of Article 18 of the Straits Convention referring to a joint guarantee of the four great Powers have become uncertain and inoperative and that they no longer can in practice protect Turkey against a foreign danger to her territory, the Government of the Republic has the honor to inform the Powers which took part in the negotiations of the Straits Conventions that it is ready to set on foot pourparlers for the purpose of arriving promptly at the conclusion of accords intended to regulate the régime of the Straits under conditions of security indispensable to the inviolability of Turkish territory, and in the most liberal spirit towards the constant development of commercial navigation between the Mediterranean and the Black Sea.

TR: :ims

En 1923, lorsque la Turquie a consenti à Lausanne à signer la Convention des Détroits consacrant la liberté de passage et la démilitarisation, la situation générale de l'Europe, aux points de vue politique et militaire, présentait un aspect totalement différent de celle qui se présente aujourd'hui.

L'Europe marchait vers le désarmement et son organisation politique devait uniquement se fonder sur les principes immuables du droit consacrés par les engagements internationaux. Les forces terrestres, navales et aériennes étaient beaucoup moins redoutables et leurs tendances se manifestaient dans le sens de la diminution. A ce moment, la Turquie a signé les clauses restrictives de la Convention des Détroits avec l'assurance que lui donnait l'article 18 qui venait ajouter à la garantie de l'article 10 du Pacte de la Société des Nations, l'engagement que les signataires et, dans tous les cas, quatre grandes Puissances assumaient d'entreprendre conjointement et par tous les moyens décidés à cet effet par le Conseil de la Ligue, la défense des Détroits menacés.

Depuis lors la situation qui existait dans la Mer Noire est arrivée à présenter un aspect de concorde en tous points rassurante, cependant que l'incertitude s'installait peu à peu dans la Méditerranée, les Conférences Navales ont montré un dévelopement dans le sens du réarmement et les chantiers maritimes déverseront bientôt dans les mers des navires d'une puissance non encore atteinte. Dans le domaine aérien la courbe est vertigi-

neusement ascendante et les fortifications continentales et insulaires se multiplient constamment.

Pendant ce changement complet de conditions la seule garantie qui devait obvier à l'insécurité totale des Détroits vient à son tour de disparaître, et tandis que les Puissances les plus intéressées proclament l'existence d'une menace de conflagration générale, la Turquie, par son point le plus vulnérable, se trouve exposée aux pires dangers sans nulle contrepartie de cette insécurité inquiétante.

En accédant aux demandes pressantes qui lui étaient adressées la Turquie a accepté la démilitarisation des Détroits, alors entièrement occupés par les forces étrangères, après avoir longuement pesé, dans les conditions existantes, la valeur des garanties minima qui lui étaient accordées, ce "afin que la démilitarisation des Détroits et des zones avoisinantes ne devienne pas, au point de vue militaire une cause de danger injustifié pour la Turquie".

A l'article 18 de la Convention qui consacra la garantie de sécurité indissolublement liée à l'ensemble des clauses réglementant le régime des Détroits, les signataires ont attaché une importance telle qu'ils ont solennellement affirmé que la garantie en question faisait partie intégrante des clauses de démilitarisation et de liberté de passage.

Ceci revient à dire que sans une assurance effective, pratique et efficace il n'aurait pu être imposé à la Turquie une diminution de souveraineté sur une portion de son territoire dont la sécurité est indispensable à celle de l'ensemble du pays.

Il est également manifeste que si cette garantie devient

inopérante ou incertaine, l'équilibre de toute la Convention se trouve être rompu au préjudice de la Turquie et à celui de la paix européenne.

Or, les crises politiques ont démontré clairement que le mécanisme actuel de garantie collective se déclanche avec trop de lenteur et qu'une décision tardive est de nature à faire perdre dans la plupart des cas le bénéfice d'une action internationale. C'est pour cette raison que la Turquie n'avait pu se contenter en 1923, comme beaucoup d'autres Puissances actuellement, de la garantie collective que lui aurait assurée le Covenant dès qu'elle aurait fait partie de la Société des Nations, qu'elle avait jugé insuffisante la garantie collective de tous les signataires de la Convention des Détroits et que seule la garantie conjointe des quatre grandes Puissances lui avait paru susceptible d'assurer dans les conditions d'alors le minimum de sécurité indispensable à son intégrité territoriale.

Mais, si ce minimum lui-même est affaibli ou rendu problématique par les circonstances politiques et militaires entièrement différentes de celles qui présidaient à son établissement, le Gouvernement de la République ne peut sans se rendre coupable d'une négligence grave, exposer tout le pays à un coup de main irréparable.

La position des garants de la sécurité des Détroits vis-à-vis de la Société des Nations, les circonstances particulières qui rendent pour le moins douteuse la collaboration militaire et effective des ces garants devant l'objectif qui leur est assigné, sont des éléments qui ont bouleversé l'économie générale de la Convention de 1923.

Il ne peut être affirmé aujourd'hui que la sécurité des Détroits est encore assurée par une garantie réelle et il ne peut être demandé à la Turquie de rester indifférente à l'éventualité d'une dangéreuse carence.

Il y a lieu d'ajouter à ces considérations que la Convention des Détroits ne mentionne que les états de paix et de guerre, dans ce dernier cas la Turquie étant neutre ou belligérante, sans prévoir l'éventualité d'une menace spécialle ou générale de guerre et permettre à la Turquie de pourvoir alors à sa défense légitime. Or, il est amplement démontré aujourd'hui que la phase la plus délicate d'un danger extérieur est précisement cette phase de menace, l'état de guerre pouvant survenir inopinément et sans nulle formalité.

Cette lacune peut à elle suele enlever son efficacité aux garanties envisagées quelle que soit la valeur de celles-ci.

Dès le début de son existence, la République Turque s'est tracée une politique de paix et d'entente dont la réalisation dans tous les domaines n'a pas manqué de lui imposer des sacrifices souvent lourds.

Le Gouvernement Turc a montré dans les circonstances multiples qui se sont présentées pendant la dernière décade un esprit de conciliation, de fidélité à ses engagements et d'attachement sincère à la cause de la paix qui a été apprécié par toutes les Puissances.

La sécurité que la Turquie a toujours assurée aux autres, elle est en droit de la réclamer pour elle-même.

Des circonstances indépendantes de la volonté des signataires de Lausanne ont rendu inopérantes des clauses établies en toute bonne foi, et comme l'enjeu en est l'existence de la Turquie et la sécurite de tout son territoire, le Gouvernement de la République peut être amené à prendre devant la nation la responsabilité qui lui incombe en adoptant les mesures dictées par l'impérieuse nécessité des circonstances.

Ayant en vue les considérations ci-haut relatées et estimant à juste titre que les dispositions de l'article 18 de la Convention des Detroits se rapportant à une garantie conjointe des quatre grandes Puissances sont devenues incertaines et inopérantes et qu'elles ne peuvent plus pratiquement couvrir la Turquie contre un danger extérieur visant son territoire, le Gouvernement de la République a l'honneur d'informer les Puissances qui ont pris part aux négociations de la Conventions des Détroits qu'Il est prêt à entamer des pourparlers en vue d'arriver à bref délai à la conclusion d'accords destinés à réglementer le régime des Détroits dans des conditions de sécurité indispensables à l'inviolabilité du territoire turc et dans l'esprit le plus libéral pour le développement constant de la navigation commerciale entre la Méditerranée et la Mer Noire.

No. 16

April 22 1936

The Honorable

John Van A. MacMurray,

American Embassador,

Istanbul.

Sir:

There is enclosed herewith for your information a copy of a memorandum of my conversation with the Turkish Ambassador on April 11, 1936, with reference to the desire of Turkey to be released from the obligations imposed by the Straits Convention annexed to the Treaty of Lausanne.

Very truly yours,

Cordell Hull

Enclosure:

Memorandum dated April 11, 1936, with attached memorandum.

Routine NE RAH/LS

APR 20 1936.

A true copy of the signed original

767.68119/897

May 12 1936

In reply refer to
NE 767.68119/897

767.68119/897

My dear Mr. Secretary:

On April 11, 1936, the Turkish Ambassador at this capital called and handed me a memorandum, in French, setting forth the representations which the Turkish Government is making to the signatories of the Treaty of Lausanne with respect to the fortification of the Dardanelles by Turkey. I enclose for your information a translation of the Turkish memorandum in question. I also enclose for your information a copy of a despatch dated April 14, 1936, from the American Ambassador at Istanbul, and a copy of a despatch dated April 20, 1936, from the American Embassy at London, on this same subject.

It occurs to me that the Navy Department may wish to give consideration to this development, particularly with regard to the desirability of this Government coming to an understanding with the Turkish Government regarding the right

The Honorable

Claude A. Swanson,

Secretary of the Navy.

5/7-3:00
5/9-3:30

right of American vessels in the Straits of the Bosporus and the Dardanelles.

Sincerely yours,

Cordell Hull

Enclosures:

Memorandum from Turkish Ambassador;

From Embassy, Istanbul, April 14, 1936;

From Embassy, London, April 20, 1936.

MAY 9 1936.

A true copy of the signed original.

EE
RPK

5/8/36

NE PHA/LS

PREPARING OFFICE
WILL INDICATE WHETHER
Collect
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TELEGRAM SENT

Gray PO

TO BE TRANSMITTED
CONFIDENTIAL CODE
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PLAIN

RECEIVED
DEPARTMENT OF STATE

Department of State

1936 APR 20 PM 4 36

Washington,

DIVISION OF
COMMUNICATIONS
AND RECORDS

April 20, 1936.

5pm

AMEMBASSY,

17 ISTANBUL (TURKEY).

Please comment on recent widespread press reports that Turkish troops have entered the demilitarized zone of the Straits.

767.68119

Hull

767.68119/897A

NE PHA/LS

CR
APR 20

Enciphered by .....

Sent by operator ..... *M.*, ..., *19*....., ...

D. C. R.—No. 50

1—1462 U. S. GOVERNMENT PRINTING OFFICE

NE

TELEGRAM RECEIVED

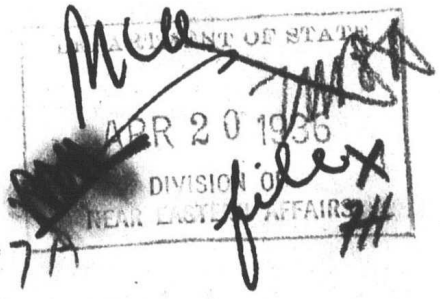
KLP 1—1836

FROM GRAY

Istanbul

Dated April 21, 1936.

Rec'd. 11:20 a.m.



Secretary of State,

Washington.

12, April 21, 3 p.m.

Department's 17, April 20, 5 p.m.

Reports are officially denied. While such a move might be welcomed by military its execution at the present time seems highly unlikely in view of the nature of Turkish diplomatic demarche concerning Straits and reception generally accorded to it.

MACMURRAY

KLP

FILED
APR 22 1936

767.68119/898

NO. 1654 Political.

DIVISION OF WESTERN EUROPEAN AFFAIRS APR 27 1936 DEPARTMENT OF STATE

AMERICAN CONSULATE

Geneva, Switzerland. April 14, 1936.

1936 APR 23 AM 11 05

DEPARTMENT OF STATE

DIVISION OF COMMUNICATIONS AND RECORDS

SUBJECT: Transmission of Turkish Note re Demilitarization of Straits.

1—1055

767.68119/899

THE HONORABLE

THE SECRETARY OF STATE

WASHINGTON

DEPARTMENT OF STATE A-C/C APR 28 1936 ASSISTANT SECRETARY OF STATE

DEPARTMENT OF STATE APR 24 1936 DIVISION OF NEAR EASTERN AFFAIRS

SIR:

I have the honor to refer to my telegram No. 113 of April 11, 5 p.m., reporting that the Turkish Government had officially transmitted to the League a copy of a note which it had addressed to certain interested governments concerning its desire for a revision of the régime of the Straits.

In this regard I enclose a copy of League Document C.154.M.92.1926.VII of April 11 which gives the full text of the Turkish communication to the Secretary General. 1/

Respectfully yours,

Prentiss B. Gilbert,
American Consul.

Enclosure:
League Document C.154.M.92.1926.VII.

Original and five copies to Department of State.
One copy to American Legation, Bern.

EPL/DH

FILED MAY 4 1936

Enclosure No 1
with No 1654 of
April 14, 1936

Communicated to the Council and Members of the League.

LEAGUE OF NATIONS

C.154.M.92.1926.VII.
Geneva, April 11th, 1936.

CONVENTION RELATING TO THE REGIME OF THE STRAITS, SIGNED AT LAUSANNE JULY 24th, 1923.

Communication from the Turkish Government.

Ankara, April 10,1936 (received Geneva April 11th).

M. Avenol, Secretary-General of the League of Nations, Geneva.

I have the honour to communicate to you below for information the text of the note addressed by the Government of the Republic to the British, Bulgarian, French, Greek, Italian, Japanese, Roumanian, Soviet and Yugoslav Governments. I beg your Excellency to be good enough to take note of it and to inform the States Members of the League of Nations.

"In 1923, when Turkey agreed at Lausanne to sign the Straits Convention prescribing freedom of transit and demilitarisation, the general situation of Europe, from the political and military point of view, presented an aspect totally different from that of to-day.

"Europe was progressing towards disarmament, and the political organisation of Europe was to be based solely on the unchanging principles of law embodied in international engagements. The land, naval and air forces were much less formidable and were showing a tendency towards decrease. At that time, Turkey signed the restrictive clauses of the Straits Convention. She had the assurance given her by Article 18, which added to the guarantee afforded by Article 10 of the Covenant of the League of Nations an undertaking that the signatories and in any case four great Powers conjointly undertook, by all the means decided upon for that purpose, by the Council of the League, the defence of the Straits if threatened.

"Since them, the situation in the Black Sea has come to present an aspect of concord which has been reassuring in every respect. Uncertainty has gradually arisen, however, in the Meditteranean; naval conferences have shown a tendency towards re-armament, and the naval shipyards will soon launch upon the seas vessels of a power never previously attained. In the air, the curve of increase has shown a swift upward turn, and continental and insular fortifications are constantly being multiplied.

"During this complete change of conditions the only guarantee intended to guard against the total insecurity of the Straits has just disappeared in its turn, and while the Powers most closely concerned are proclaiming the existence of a threat of general conflagration, Turkey finds herself exposed at her most vulnerable point to the worst dangers without any counterpart for this disquieting insecurity.

" In response to the urgent demands addressed to her, Turkey accepted the demilitarisation of the Straits, then wholly occupied by foreign forces, after having very fully considered, in the existing conditions, the value of the minimum guarantees granted to her in order 'that the demilitarisation of the Straits and of the contiguous zones should not constitute an unjustifiable danger to the military security of Turkey.

"To Article 18 of the Convention, which provided a guarantee of security indissolubly bound up with the body of clauses regulating the régime of the Straits, the signatories attached such importance that they solemnly affirmed that the guarantee in question formed an integral part of the clauses regarding demilitarisation and freedom of transit.

"This means that without an effective, practical and efficacious assurance, Turkey's sovereignty could not have been diminished over a portion of her territory the security of which is indispensable to that of the country as a whole.

P.T.O.

"It is also evident that if this guarantee becomes inoperative or uncertain, the equilibrium of the whole Convention is overthrown, to the prejudice of Turkey and to that of European peace.

"Political crises have made it clear that the present machinery for collective guarantees is too slow in coming into operation and that a delayed decision is likely in most cases to cause the advantage of international action to be lost. It was for this reason that Turkey in 1923, like many other Powers at the present time, could not be content with the collective guarantee which would be ensured to her by the Covenant on her becoming a member of the League of Nations; that she considered the collective guarantee of all the signatories of the Straits Convention insufficient; and that only the conjoint guarantee of the four great Powers seemed to her calculated to ensure in the conditions then existing the minimum of security indispensable for her territorial integrity.

"But, if this minimum itself is weakened or rendered problematical by political and military circumstances entirely different from those which existed when the security was given, the Government of the Republic cannot, without being guilty of serious negligence, expose the whole country to an irreparable coup de main.

"The position of the guarantors of the security of the Straits vis-a-vis the League of Nations, the particular circumstances which render doubtful, to say the least, the effective military collaboration of these guarantors to secure the object assigned to them - these factors have upset the general economy of the Convention of 1923.

"It cannot be said to-day that the security of the Straits is still ensured by a real guarantee, and Turkey cannot be asked to remain indifferent to the possibility of a dangerous failure to act.

"Besides, these considerations it should be added that the Straits Convention mentions only a state of peace and a state of war, Turkey being a neutral or a belligerent in the latter case, but does not provide for the contingency of a special or general threat of war or enable Turkey in such a case to provide for her legitimate defence.

"It is amply proved to-day, however, that the most delicate stage of danger from without is this very stage of a threat of war in which a state of war may arise unexpectedly and without any formality.

"This omission may in itself render the guarantees contemplated ineffective, whatever their value.

"From the beginning of its existence the Turkish Republic has followed a policy of peace and understanding, the carrying-out of which in every field has necessarily imposed upon her sacrifices, often heavy sacrifices.

"The Turkish Government has shown in the many circumstances which have arisen in the last decade, a spirit of conciliation, of loyalty to her engagements, and of sincere attachment to the cause of peace, which has been appreciated by all the Powers. Turkey is entitled to claim for herself the security which she has always ensured to others.

"Circumstances independent of the will of the Lausanne signatories have rendered inoperative clauses which were drawn up in all good faith, and as the issue at stake is the existence of Turkey herself and the security of her whole territory, the Government of the Republic may be led to take before the nation the responsibility incumbent upon it by adopting the measures dictated by the imperious necessity of circumstances.

"In view of the above considerations, and rightly holding that the provisions of Article 18 of the Straits Convention relating to a joint guarantee of the four great Powers have become uncertain and inoperative and that they can no longer in practice shield Turkey from an external danger to her territory, the Government of the Republic has the honour to inform the Powers which took part in the negotiations for the conclusion of the Straits Convention that it is prepared to enter into negotiations with a view to arriving in the near future at the conclusion of agreements for regulation of the regime of the Straits under the conditions of security which are indispensable for the inviolability of Turkey's territory, and, in the most liberal spirit, for the constant development of commercial navigation between the Mediterranean and the Black Sea."

Tevfik Rustu Aras, Turkish Minister for Foreign Affairs.

DEPARTMENT OF STATE

DIVISION OF COMMUNICATIONS AND RECORDS

June 23, 1936.

EE

Mr. Packer:

Yes, this should have gone to EE but through an oversight, which is regretted, the routing to your office was omitted.

EE

JUN 23 1936 D.G.S.

DEPARTMENT OF STATE

DIVISION OF EASTERN EUROPEAN AFFAIRS

6-5-36

DCR

Should this telegram not have been routed to EE by DCR

RECORDED DEPARTMENT OF STATE
1936 JUN 23 PM 2 30
DIVISION OF COMMUNICATIONS AND RECORDS

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FE

TELEGRAM RECEIVED

Division of FAR EASTERN AFFAIRS APR 29 1936 Department of State

JS

GRAY

1—1336

FROM TOKYO

Dated April 27, 1936

Rec'd 4:01 a.m.

DEPARTMENT OF STATE APR 27 1936 DIVISION OF NEAR EASTERN AFFAIRS

Secretary of State,

Washington, D.C.

90, April 27, 4 p.m.

Department's instruction 542, June 9, 1934.

My Turkish colleague has confirmed the report published here yesterday that the Japanese Government is willing to discuss with other signatories of the Lausanne convention the matter of rearming the Straits. It is however expected that Japan will make reservations in view of the fact that any change in the status of the Straits may free the Soviet Black Sea fleet.

Despatch follows.

GREW

JS

FILED APR 30 1936

767.68119/900

DIVISION OF EUROPEAN AFFAIRS JUN 24 1936 DEPARTMENT OF STATE

NE

TELEGRAM RECEIVED

McL 1—1336

FROM Gray.

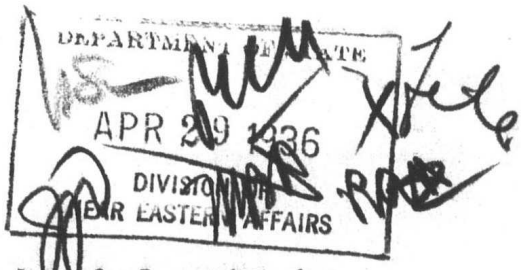
Belgrade.

Dated April 29, 1936.

Received 2.20 p.m.

Secretary of State,

Washington.



16, April 29, 5 p.m.

Foreign Office yesterday handed note to Turkish Minister here stating that although not a signatory to Straits Convention Yugoslav Government was prepared to second Turkish demand for new agreement.

WILSON .

CSB

767.68119/901

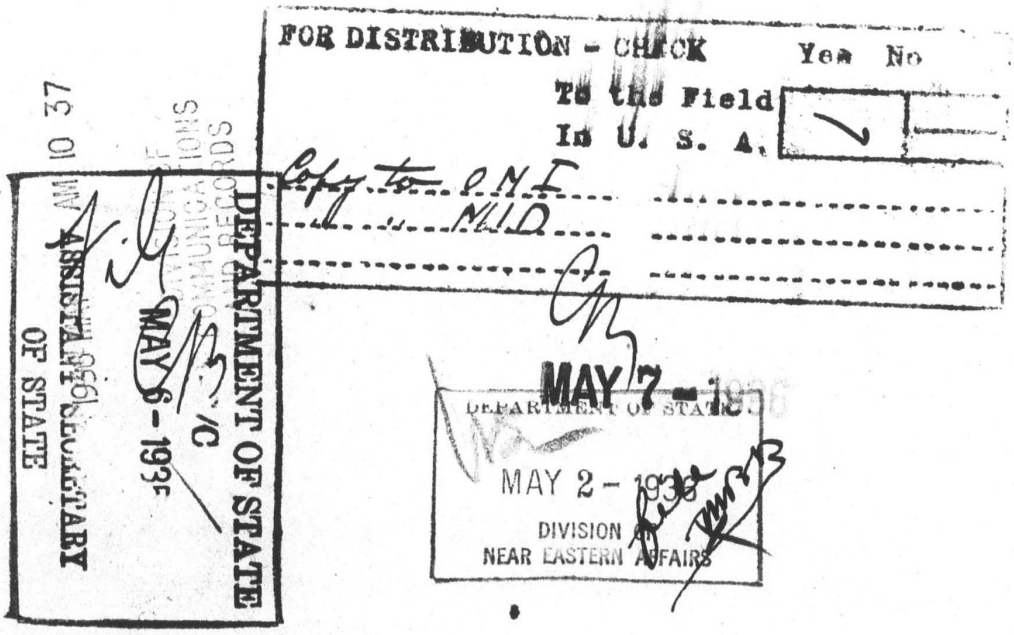
FILED

MAY 1 1936

LEGATION OF THE
UNITED STATES OF AMERICA

No. 509. Belgrade, April 16, 1936.

Subject: Turkish Proposal to modify Treaty of Lausanne.



767.68119

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to enclose herewith the translation of recent articles from the Yugoslav press commenting upon the proposals made by Turkey to the interested governments to modify certain articles of the Treaty of Lausanne concerning the demilitarization of the Dardenelles. The tone of the press, as will be seen, deals sympathetically with the Turkish proposals, but the Assistant Minister for Foreign Affairs told me yesterday that while the Turkish manner of broaching the matter had been entirely

correct

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MAY 9 1936

correct and an agreeable contrast to German and Austrian methods in similar circumstances, nevertheless he regretted the Turkish request. This would seem possibly to be the Minister's personal opinion, for the Regent Prince Paul told Mr. Hamilton Fish Armstrong that Yugoslav-Turkish relations were exceptionally satisfactory and cordial and that he favored the request of the Turkish Government. From what I can learn from various sources Turkey in its request will be able to count on the support of the members of the Balkan Entente ~~when the question comes up at Geneva.~~

Respectfully yours,

Charles S. Wilson

Charles S. Wilson

Enclosure:

Translation of newspaper articles - April 15,1936.

File No. 710

CSW:HSB

Enclosure to Despatch No. 509 of April 16, 1936, from the Legation in Belgrade.

Comments on the Change of the Status of the Dardenelles.

The Vreme in its number of the 15th instant writes that it is not astonished that the Turkish Republic is thinking of its security in the present troubled times when the race for armaments is going on and when daily, treaties guaranteeing peace are losing all their force. The demilitarized Straits, which divide Turkey in two, are at this moment a great danger to the security of the Turkish State. The Statute of the Straits as established in 1923 can no longer remain unchanged. For this reason the Turkish Government in its note of the 11th instant informed the interested powers that it is ready to undertake negotiations for the establishment of a new regime of the Straits which would guarantee at the same time Turkish territorial security and free navigation between the Black Sea and the Mediterranean. Yugoslavia as an ally of Turkey will, in accord with its friends and allies of the Balkan Entente, study with the greatest benevolence the propositions of the Turkish Government, and will give its aid in finding a favorable solution to this question.

The Obzor of Zagreb, in its editorial also writes concerning the revision of the Straits Convention, saying that the method employed by the Turkish Government is legal and in accordance with the terms of the Convention itself, and the paper emphasizes that the procedure used by the Turkish Government is the opposite of that employed by Germany and Austria. The paper states that the Turkish initiative has come at a propitious hour since the international position of Turkey is favorable as a result of its participation in the collective action against Italy which has brought her close to Great Britain which until now has been the factor most interested in the demilitarization of the Straits. Moreover, the situation of Turkey in the League of Nations has been strengthened by the conclusion of Pacts with Soviet Russia and the Balkan countries, which are connected with the Little Entente and France, so that it may be said that Turkey before making an official démarche was convinced that its demand for the negotiation of a new Statute of the Straits would be accepted. Coming after the violations of the peace treaties by Germany and Austria, the Turkish action was received sympathetically by the countries attached to the principle of the maintenance of international statutes as an example of the peaceful revision of treaties provided for by the League of Nations itself.

Continuing

Continuing, the paper says that Austria acted in another manner by violating the Treaty of St. Germain, without agreement with the signatories of the Treaty. The Western powers have especially condemned the manner in which Austria acted since the Austrian Government would have been able without great difficulty to realize this desire intended to guarantee its integrity and independence. The paper adds that Austria had not expected such a reaction to its act and that it is now trying to attenuate the impression produced, desiring especially to draw closer to Great Britain in spite of her dependence on Italy. For this reason Austria is endeavoring to profit from the visit to Vienna of Sir Austin Chamberlain, who has certainly some mission although there is an attempt to give to his visit a purely private character. The paper concludes that Austria realizes that the support of Rome will not suffice to permit her to surmount all the difficulties of her delicate international situation.

--o--

LEGATION OF THE
UNITED STATES OF AMERICA

...

Belgrade, April 20, 1936.

Subject: Turkish Proposal to modify Treaty of Lausanne.

DEPARTMENT OF STATE
1936 MAY 1 PM 2 41
DIVISION OF COMMUNICATIONS AND RECORDS

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to request that the last seven words "when the question comes up at Geneva" of page 2 of my despatch No. 509 (no card) of April 16, 1936, entitled "Turkish Proposal to modify Treaty of Lausanne", be deleted.

Respectfully yours,

Charles S. Wilson

Charles S. Wilson.

File No. 710.

CSW:HSB

EMBASSY OF THE
UNITED STATES OF AMERICA

LONDON, April 20, 1936.

No. 2129

SUBJECT: Turkish Proposal for Refortification of the Straits.

RECEIVED
DEPARTMENT OF STATE
1936 MAY 1 AM 10 52
DIVISION OF COMMUNICATIONS AND RECORDS

DIVISION OF WESTERN EUROPEAN AFFAIRS
MAY 2 1936
DEPARTMENT OF STATE

To Navy - 5/5/36 PHALS

MAY 5 - 1936
DIVISION OF NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
ASSISTANT SECRETARY
OF STATE
MAY 7 1936

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To the Field
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Copy to Embassy, Istanbul

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To Istanbul
5/7/36

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MAY 6 1936

767.68119/903

The Honorable

The Secretary of State,

Washington, D.C.

Sir:

I have the honor to report that in an informal conversation to-day, the Foreign Office confirmed that it had sent a sympathetic reply to the Turkish proposal for Treaty revision with a view to refortifying the Dardanelles and the Bosphorus, and made the following observations in this general relation.

While the Foreign Office would have preferred that Turkey had addressed its communication to the Secretary General of the League and had the Assembly take the steps

provided/

provided for in Article 19 of the Covenant, instead of addressing the signatories of the Lausanne Treaty direct and merely informing the League, it was realized that the former procedure would have afforded the representatives of the anti-revisionist countries in the Assembly an excellent opportunity to block Turkey's aspirations. Nevertheless the Foreign Office welcomed the straightforward nature of Turkey's proposal, which they considered quite proper. The Foreign Office thought that the Turkish Government had shown good judgment in its choice of the moment to request a revision of the Régime of the Straits and that Turkey was in the present instance probably actuated more by fear of Italian expansion in the Mediterranean than for any other reason. (Sic

The Foreign Office said that, while they had no doubt the Italian Government would desire to oppose the refortification of the Straits, they would be interested to see what sort of a case Italy, a revisionist country and an outstanding treaty-breaker, could make against Turkey. Referring briefly to the other interested Powers, the Foreign Office said there would not be much opposition, except, perhaps, in the case of the French, "who object to everything." Greece also feared ~~Turkey~~ Italy and wished to fortify her own islands; Rumania, as a member of the Balkan Entente, seemed favorably disposed; Bulgaria was agreeable for revisionist and other reasons; and Soviet Russia, a signatory who had not ratified the Treaty, was an ally of Turkey and for this and other obvious reasons, had assumed a very favorable attitude.

As/

As regards the problem from a purely military standpoint, the Foreign Office felt that Turkey could block the Straits in a few hours even under the existing Régime. By the same token, owing to the great advances in the air, the blocking of the Straits alone no longer afforded adequate protection to Constantinople. The question of permitting Turkey to refortify the Straits was therefore becoming largely academic.

This question of altering the Régime of the Straits was discussed with the same official of the Foreign Office a little less than two years ago and reported in the Embassy's despatch No. 824, of July 13, 1934. 767.68119/858 The Department will recall that, at that time, the Foreign Office was glad the Turks had agreed to drop the question and felt that the less said about it the better. In to-day's conversation reported above, the same official seemed most heartily to welcome the present proposal of the Turkish Government. The Embassy could not help being struck by this change of attitude even though it is easy enough to understand in view of the highly important changes which have occurred since the first conversation took place: especially Germany's re-occupation of the Rhineland, Italy's successes in Ethiopia and the severe loss which British prestige has suffered, particularly in the Mediterranean area.

Respectfully yours,

For the Ambassador:

Ray Atherton,
Counselor of Embassy.

HM/WMC.

EMBASSY OF THE
UNITED STATES OF AMERICA

London, May 14, 1936.

avoid 6-2-36 file met (DCR)

Correction made 6-2-36 met (DCR)

Dear Mr. Salmon:

I have just come across an obvious error in the Embassy's despatch No.2129 of April 20, 1936 (Embassy's File No.800, Turkey), Subject: Turkish Refortification of the Straits. The error occurs on page 2, seventh line from the bottom; the last word reads "Turkey" and should read "Italy." We should be grateful if you would have this correction made in your files.

With best wishes,

Yours very sincerely,

Hugh L Millard

F.W.-767.68119/903

David A. Salmon, Esquire,
Department of State,
Washington, D.C.

5/15-11:00
5/15-3:15

May 16 1936

In reply refer to
NE 767.68119/904

767.68119/904

CONFIDENTIAL

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy and, with reference to this Department's letter of May 12, 1936, concerning the Turkish proposal for the revision of the Straits régime, encloses a copy of a despatch on the subject from the Ambassador at Rome, dated April 16, 1936.

Enclosure:
Despatch No. 1635 of
April 16, 1936 from
Embassy Rome.

NE RAH/LVD

WE SR

5/16/36
a m w

A true copy of the signed original.

MAY 18 1936.

EMBASSY OF THE
UNITED STATES OF AMERICA

ROME, April 16, 1936.

No. 1635

Subject: The Straits Regime.

DIVISION OF WESTERN EUROPEAN AFFAIRS
MAY 2 1936
DEPARTMENT OF STATE

Letter to Dept 5/4/36 Copy sent

May 16 1936

DEPARTMENT OF STATE
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MAY 18 1936
ASSISTANT SECRETARY
OF STATE

DEPARTMENT OF STATE
MAY 5 - 1936
DIVISION OF
NEAR EASTERN AFFAIRS

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To Istanbul
5/19/36

The Honorable

The Secretary of State,

Washington.

Sir:

With reference to the Embassy's despatch No. 673 of August 23rd, 1934, regarding the Straits Regime, I have the honor to inform the Department that in connection with Turkey's present demand for the militarization of the Dardanelles the press here has, until the past few days, maintained a strictly disinterested attitude.

Now, however, a number of writers take exception to British comment on Turkey's demand, saying that England is inclined to handle the Straits question as though it were a bilateral Anglo-Turkish affair and to consider the question solely on the basis of Turkish relations with England vis-à-vis Italy in the Mediterranean. It is in some quarters believed, although the press does not mention this

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MAY 20 1936

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this theory, that there was some misunderstanding regarding the Straits in connection with Turkey's alleged agreement to assist the British fleet in the event of an attack by Italy. In any event, just as England is apparently regarding the affair in the light of her present Mediterranean difficulties, Italy regards it in the same light, and her attitude, it is generally said, will depend entirely upon the developments of the Italo-British situation and upon Turkey's policy in that regard.

No indication has been given here as to Italy's intended position. A communiqué published on April 13th announced merely that the Turkish Chargé d'Affaires has handed the Turkish note on the matter to Suvich, Undersecretary for Foreign Affairs. The merits of Turkey's case have not been dismussed in any Italian newspaper, nor was any speculation or rumor proffered in connection with the report from Anakara on April 11th that the Turkish Ambassador to Rome had conferred with the Turkish Premier and Foreign Minister.

Inspired Italian newspapers, in fact, have made no editorial reference whatsoever to the matter, with the exception of Mussolini's POPOLO D'ITALIA which yesterday mentioned in passing that"the sanctionists have been politically sanctioned" by German occupation of the Rhine, Austrian restoration of military service, and Turkish demand for militarization of the Straits. Certain unofficial newspapers have, however, attacked the British press attitude on the question. The Rome TRIBUNA of April 13th pointed out that this was a generally European, and more particularly a Mediterranean, affair, certainly not an Anglo-Turkish one:

"Great

"Great Britain, the champion of what she calls collective security, unhesitatingly declares that she can discuss the question only on the basis of compensation in the form of Mediterranean cooperation against Italy by Turkey, or in other words, she makes it a bargain in the interest of her own individual hostility against Italy, who is an exclusively Mediterranean power."

The Turin STAMPA in turn says:

"The remarks of British newspapers do not surprise us, in that they confirm what we have always said as to London's desire to turn every situation to its own exclusive account. By what right does the British government barter on the question of the demilitarization of the Straits? Do not the British maintain the official attitude that the Italo-Ethiopian conflict falls within the province of the League of Nations? But principles and institutions are binding on the British only in so far as they may serve British imperial interests."

More emphatic comment appears in this morning's MESSAGGERO as a result of the report from Ankara that one of Turkey's motives for rearming the Straits was allegedly Italy's presence in the Dodecannese. The newspaper points out that Italy had been at Rhodes for ten years when the Treaty of Lusanne was signed and that it was not Italy who then threatened Turkey but the British:

"This is an old and forgotten story: so well forgotten that the present Turkish Foreign Minister does not recall having been for many days sought by the British policy in the Bosphorus because of his devotion to Mustafa Kemal and Turkish independence.

"Tefik Rusdi, today Rustu Aras, forgetting his former name, has also forgotten former facts. And with them he has forgotten what Italy and the Italians did for Turkish independence in general and himself in particular."

To justify the rearmament of the Straits by an Italian menace would in any case, the newspaper continues, be as sensible as for France to fortify Corsica to meet the German menace on the Rhine.

The

The real truth is, asserts the MESSAGGERO, that England desires to see Russia and Rumania, as allies of France, cut off from the Mediterranean and herself sole mistress thereof, with the encouraging support of Turkey:

> "Evidently neither Russia nor Rumania today are in London's good graces. The Black Sea once reduced to a closed lake, France's two friends are cut off from the Mediterranean, where, instead, the Turks of Gallipoli and the Sinai peninsula would appear as encouraging navigators.
>
> "There is too much talk already of a revived and strengthened Turko-British friendship, despite the Straits, the Mossul oil fields, the public debt, and the past. Pretext: Italy at Rhodes. Truth: the British determination to set aside Russia, Rumania, and the others in order to remain absolute mistress of the Mediterranean.
>
> "But is there not a chance that even London's calculations may be wrong?"

The report that Greece would demand the revision of her obligations under the Lausanne Treaty referring to the fortification of Lemnos, Samos, Mytelene, and Chios, and intended also to fortify Corfu has been published here without comment.

Respectfully yours,

Breckinridge Long.

EH/wrm
820.

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 20 Istanbul, April 14, 1936.

Subject: Turkish Request for Revision of Demilitarization Clauses of Straits Convention of 1923.

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MAY 13 1936

DEPARTMENT OF STATE
MAY 2 - 1936
DIVISION OF NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
MAY 12 1936
ASSISTANT SECRETARY OF STATE

767.68119/905
FILED
MAY 19 1936

The Honorable

The Secretary of State,

Washington.

Sir:

Referring to my telegram No. 11 of April 11, 1:00 p.m., 892

1/ I have the honor to enclose herewith a copy of the note addressed by the Turkish Government on April 10 to the governments that had participated in the negotiation of the Straits Convention concluded at Lausanne on May 24, 1923. The text of this note had been communicated at Ankara, on April 10, by the Minister for Foreign Affairs (Dr. Tewfik Rüştü Aras) to Mr. Shaw, under the circumstances set forth in the following comment with which Mr. Shaw accompanied the copy forwarded for my information:

"At

"At 7.30 P.M. the Foreign Office telephoned me to say that as the Ambassador was away the Minister wished to see me at 8.30. The Minister greeted me with even more exuberance than usual. He said that, as I was aware, they always wanted to keep the friendly American Government informed of their doings and therefore he was giving me a copy of a note on the Straits régime which had been approved after an all-night session of the Council of Ministers and which was being addressed to all the Governments which had taken part in the negotiation of the Lausanne Straits Convention. On purpose he said he had chosen a broad formula since some Powers which had signed the Convention had not ratified it; e.g., the U.S.S.R. and Yugoslavia. He said the note would be given out on Monday and the Turkish Ambassador in Washington had been instructed to inform the Department concerning the note tomorrow. After I had had an opportunity of reading the note the Minister asked me what I thought of it. I expressed satisfaction that Turkey after setting forth clearly and soberly her view of the case was prepared to negotiate a new régime rather than create a fait accompli. The Minister replied that Europe had been treated to various ways of handling international questions, but the present note represented the Turkish way. He called my attention to the fact that the note contained no reference to prestige and honor and no high-sounding phrases. I inquired how he envisaged the negotiations. He said that some of the Governments addressed would doubtless say they weren't particularly interested in the matter of the Straits and Turkey could do as she wished; others would have definite ideas and negotiations would be carried on at Ankara. I asked the Minister whether I was correct in thinking that Articles 1 and 2 and the Annex to Article 2 of the Lausanne Straits Convention were not affected by the present Turkish action and that it was Article 4 that the Turks had particularly in mind. The Minister at once replied that there would have to be changes in the Annex to Article 2 with respect to vessels of war. He was not too clear as to just what these changes should be. He spoke of the desirability that each case of a war vessel entering the Black Sea should be considered on its merits with ample previous notice, not only to Turkey but to other interested Powers. He spoke of the responsibilities of Turkey to Europe in this connection. He said Turkey hadn't the slightest anxiety about the naval programs of any of the Black Sea Powers. Under their naval agreement with the Soviets there was notification of any naval building and the confidence created by this fact eliminated any apprehension. On commercial navigation of the Straits the Minister was most emphatic that Turkey stood squarely not only for the facilities set up under the Lausanne Convention, but for any extension and liberalizing of those facilities that could be worked up. He pointed out that Turkey had always considered the Lausanne Convention as applying not only to the commercial vessels of the signatory countries, but to all commercial vessels and that they

would

would not depart from this view in the future. He said that if he were called upon for a text of an agreement regarding commercial navigation of the Straits, he would at once propose the pertinent parts of the existing Convention. He even went so far as to say that they would have no objection to the continuance of some kind of international Straits Commission. They welcomed witnesses, he said. I said I supposed Turkey had no intention of raising any question over the demilitarized zones set up by Article 1 of the Thracian Convention. He replied 'No', as with the present limitations on Bulgaria's military establishment that demilitarized zone is unobjectionable from the Turkish point of view, but should Bulgaria rearm then Turkey will insist on fortifying Edirne (Adrianople) to restore the balance of forces. . . . . ."

"While I was talking with the Minister Suad Bey telephoned from Geneva. The Minister told me that Suad Bey reported that Mr. Titulesco was fearful of the effect upon Hungary and Bulgaria of Turkish action on the Straits régime. Dr. Aras had given Suad Bey reasons for believing Mr. Titulesco's fears were quite groundless."

It will be noted that this communication of the Turkish Government looks to the reconsideration (or, by obvious implication, the abolition) of those provisions of the Lausanne Convention relevant to the demilitarization of the Straits: and that, although the determination to be rid of such military restrictions is plainly enough indicated (in the penultimate paragraph) by the words that this Government "may be brought to take before the nation the responsibility incumbent upon it, by adopting the measures dictated by the imperative necessity of the circumstances," that threat of eventual unilateral action is nevertheless subordinated to the conciliatory assurance that the Turkish Government "is ready to undertake discussions with a view to arriving, in the near future, at the conclusion of agreements designed to regulate the régime of the Straits under the conditions of security indispensable for the inviolability of Turkish territory, and in the most liberal spirit as regards the

continued

continued development of commercial navigation between the Mediterranean and the Black Sea."

The Turkish Government would seem to have taken advantage very adroitly of the conjuncture of European affairs consequent upon the German remilitarization of the Rhineland and (incidentally, though not negligibly, from the viewpoint of the Near East) upon the Austrian reestablishment of conscription. Not only is the moment one at which Turkey might expect to find a minimum of effective opposition, because of the preoccupation of the principally interested Powers with far graver "revisionist" threats to their interests and to their actual security; but the course of the discussions that have thus far taken place between Germany and the other Locarno Powers -- discussions in which the latter have in effect taken the position that they would consent to the revision of the Versailles Treaty and the reconsideration of the Locarno Treaty if only Germany would pay at least symbolic deference to the sanctity of those instruments -- would seem to have estopped Great Britain and France and Italy from taking any strong stand against the less vital revision of military restrictions which Turkey now proposes to effect by negotiation and mutual accord. It would thus seem that Turkey is likely not only to achieve her present purpose, but to acquire, in doing so, the kudos of having set an example of correctness and good-will in her international relationships.

There is indeed some question whether this wise moderation of the Turkish Government's démarche originated with it. From certain conversations which he has had in Ankara, Mr. Shaw has received the impression that, almost

until

until the last moment before despatching the note, the Turkish authorities had intended to exploit in a less conciliatory way the opportunity which the European situation now affords them, but that their intentions were moderated as a result of conversations with the British Ambassador. Although, in a brief talk which I had with him yesterday, Sir Percy Loraine did not actually confirm that impression, he did seem to me to lend color to it by stressing the admirable manner of the Turkish démarche, even while stating that he did not yet know what view his Government would be disposed to take towards the substance of the request.

The attitude thus expressed by the British Ambassador may perhaps be construed to indicate that his Government has not at any rate reacted strongly against the Turkish demand for revision, and may be expected to acquiesce. And it would seem that France has no such proximate interest as would warrant her taking a definite attitude of opposition. Nor would it appear likely that Japan, although one of the Powers guaranteeing the régime under Article 18 of the Straits Convention, would feel disposed to concern herself actively in so remote a question, any more than in the analogous case of her participation in guaranteeing the status of the Memel Territory; both cases are perhaps mere survivals of an international orientation of Japanese policy, which has since been discarded in favor of a policy centred almost wholly upon Asia. Italy would seem to be the only one of the guaranteeing Powers which might prove disposed, on account of her considerable mercantile interests, and possibly for reasons related to her present tendencies towards a form of imperialism, to oppose substantial objections and difficulties in the way of Turkey's obtaining the desired

revision

revision of the Convention.

But even although the guarantors and other Powers signatory to the Convention may prove disposed to acquiesce in the revision which Turkey demands, it may well be that Great Britain and France, at any rate, would find it embarrassing to deal with the question of Turkey's re-militarization of the Straits until at least there shall have been worked out some tolerable solution of the question of Germany's remilitarization of the Rhineland. It is therefore possible that Turkey's <u>démarche</u> may remain for the present in abeyance, save perhaps for some preliminary informal assurances, until definite progress may have been achieved in the settlement of the crisis in Western European affairs.

Respectfully yours,

J. V. A. MacMURRAY

Enclosure:
Note from Turkish Government,
April 10, 1936.

Copy to American Embassy, London.
Copy to American Embassy, Paris.
Copy to American Embassy, Rome.
Copy to American Embassy, Berlin.
Copy to American Embassy, Tokyo.
Copy to American Consulate, Geneva.

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MacM:KOS

Enclosure No. 1 to Despatch No. 20

of April 14, 1936, from the Embassy at Istanbul.

COPY

NOTE OF TURKISH FOREIGN OFFICE ON THE STRAITS REGIME.

En 1923, lorsque la Turquie a consenti à Lausanne à signer la Convention des Détroits consacrant la liberté de passage et la démilitarisation, la situation générale de l'Europe, aux points de vue politique et militaire présentait un aspect totalement différent de celui qui se présente aujourd'hui.

L'Europe marchait vers le désarmement et son organisation politique devait uniquement se fonder sur les principes immuables du droit consacrés par les engagements internationaux. Les forces terrestres, navales et aériennes étaient beaucoup moins redoutables et leurs tendances se manifestaient dans le sens de la diminution. A ce moment, la Turquie a signé les clauses restrictives de la Convention des Détroits avec l'assurance que lui donnait l'article 18 qui venait ajouter à la garantie de l'article 10 du Pacte de la Société des Nations l'engagement que les signataires et dans tous les cas quatre grandes puissances assumaient d'entreprendre conjointement et par tous les moyens, décidés à cet effet par le Conseil de la Ligue, la défense des Détroits menacés.

Depuis lors la situation qui existait dans la Mer Noire est arrivée à présenter un aspect de concorde en tous points rassurante, cependant que l'incertitude s'installait peu à peu dans la Méditerranée; les Conférences Navales ont montré un développement dans le sens du réarmement et les chantiers maritimes déverseront bientôt dans les mers des navires d'une puissance non encore atteinte. Dans le domain aérien la courbe est vertigineusement ascendante et les fortifications continentales et insulaires se multiplient constamment.

Pendant ce changement complet de conditions la seule garantie qui devait obvier à l'insécurité totale des Détroits vient à son tour de disparaitre et tandis que les Puissances les plus intéressées proclament l'existence d'une menace de conflagration générale, la Turquie par son point le plus vulnérable se trouve exposée aux pires dangers sans nulle contrepartie de cette insécurité inquiétante.

En accédant aux demandes pressantes qui lui étaient adressées la Turquie a accepté la démilitarisation des Détroits

troits alors entièrement occupés par les forces étrangères après avoir longuement pesé, dans les conditions existantes, la valeur des garanties minima qui lui étaient accordées, ce "afin que la démilitarisation des Détroits et des zones avoisinantes ne devienne pas au point de vue militaire une cause de danger injustifié pour la Turquie".

A l'article 19 de la Convention qui consacre la garantie de sécurité indissolublement liée à l'ensemble des clauses règlementant le régime des Détroits les signataires ont attaché une importance telle qu'ils ont solennellement affirmé que la garantie en question faisait partie intégrante des clauses de démilitarisation et de liberté de passage.

Ceci revient à dire que sans une assurance effective, pratique et efficace il n'aurait pu être imposé à la Turquie une diminution de souveraineté sur une portion de son territoire dont la sécurité est indispensable à celle de l'ensemble du Pays.

Il est également manifeste que si cette garantie devient inopérante ou incertaine l'équilibre de toute la Convention se trouve être rompu au préjudice de la Turquie et à celui de la Paix européenne.

Or, les crises politiques ont démontré clairement que le mécanisme actuel de garantie collective se déclanche avec trop de lenteur et qu'une décision tardive est de nature à faire perdre dans la plupart des cas le bénéfice d'une action internationale. C'est pour cette raison que la Turquie n'avait pu se contenter en 1923, comme beaucoup d'autres Puissances actuellement, de la garantie collective que lui aurait assuré le Covenant dès qu'elle aurait fait partie de la Société des Nations, qu'elle avait jugé insuffisante la garantie collective de tous les signataires de la Convention des Détroits et que seule la garantie conjointe des quatre Grandes Puissances lui avait paru susceptible d'assurer dans les conditions d'alors le minimum de sécurité indispensable à son intégrité territoriale.

Mais, si ce minimum lui-même est affaibli ou rendu problématique par les circonstances politiques et militaires entièrement différentes de celles qui présidaient à son établissement, le Gouvernement de la République ne peut sans se rendre coupable d'une négligence grave, exposer tout le pays à un coup de main irréparable.

La position des garants de la sécurité des Détroits vis-à-vis de la Société des Nations, les circonstances particulières qui rendent pour le moins douteuse la collaboration militaire et effective de ces garants devant l'objectif qui leur est assigné, sont des éléments qui ont boulversé l'économie générale de la Convention de 1923.

Il ne peut être affirmé aujourd'hui que la sécurité des Détroits est encore assurée par une garantie réelle et il ne peut être demandé à la Turquie de rester indifférente à l'éventualité d'une dangereuse carence.

Il y a lieu d'ajouter à ces considérations que la Convention des Détroits ne mentionne que les états de paix et de guerre, dans ce dernier cas, la Turquie étant neutre ou belligérante, sans prévoir l'éventualité d'une menace spéciale ou générale de guerre et permettre à la Turquie de pourvoir alors à sa défense légitime. Or, il est simplement démontré aujourd'hui que la phase la plus délicate d'un danger extérieur est précisément cette phase de menace, l'état de guerre pouvant survenir inopinément et sans nulle formalité.

Cette lacune peut à elle seule enlever son efficacité aux garanties envisagées quelle que soit la valeur de celles-ci.

Dès le début de son existence la République Turque s'est tracée une politique de paix et d'entente dont la réalisation dans tous les domaines n'a pas manqué de lui imposer des sacrifices souvent lourds.

Le Gouvernement Turc a montré dans les circonstances multiples qui se sont présentées pendant la dernière décade un esprit de conciliation de fidélité à ses engagements et d'attachement sincère à la cause de la paix qui a été apprécié par toutes les Puissances.

La sécurité que la Turquie a toujours assurée aux autres, elle est en droit de la réclamer pour elle-même.

Des circonstances indépendantes de la volonté des signataires de Lausanne ont rendu inopérantes des clauses établies en toute bonne foi, et comme l'enjeu est l'existance de la Turquie et la sécurité de tout son territoire, le Gouvernement de la République peut être amené à prendre devant la nation la responsibilité qui lui incombe en adoptant les mesures dictées par l'impérieuse nécessité des circonstances.

Ayant en vue les considérations ci-haut relatées et estimant à juste titre que les dispositions de l'article 18 de la Convention des Détroits se rapportant à une garantie conjointe des quatre Grandes Puissances sont devenues incertaines et inopérantes et qu'elles ne peuvent plus pratiquement couvrir la Turquie contre un danger extérieur visant son territoire, le Gouvernement de la République a l'honneur d'informer les Puissances qui ont pris part aux négociations de la Convention des Détroits qu'il est prête à entamer des pourparlers en vue d'arriver à bref délai à la conclusion d'accords destinés à réglementer le régime des Détroits dans des conditions de sécurité indispensables à l'inviolabilité du territoire Turc et dans l'esprit le plus libéral pour le développement constant de la navigation commerciale entre la Méditerranée et la Mer Noire.

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DOCUMENT FILE

NOTE

767.68119/906

SEE 840.00/440 FOR Despatch #508

FROM Yugoslavia (Wilson) DATED Apr. 16, 1936
TO NAME

REGARDING: Recent request made by Turkey for permission to remilitarize the Dardenelles. Speaking of,- the Assistant Minister for Foreign Affairs said that Turkey had adopted the correct method of approaching this question, but that he regretted action of Turkey which caused Yugoslav concern and placed her in an embarrassing situation as a co-member with Turkey in the Balkan Entente.

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LEGATION OF THE
UNITED STATES OF AMERICA

No. 82 Bucharest, May 1, 1936.

Rumanian Reaction to Turkish Request for Revision of the Treaty of Lausanne.

DIVISION OF EUROPEAN AFFAIRS
JAN 3 1938
DEPARTMENT OF STATE

DEPARTMENT OF STATE
A-M/C
JAN 4 - 1936
ASSISTANT SECRETARY OF STATE

FOR DISTRIBUTION - CHECK Yes No
To the Field
In U. S. A.

1936 MAY 15 PM 12
DEPARTMENT OF STATE
COMMUNICATIONS AND RECORDS

MAY 1 9 1936
DIVISION OF NEAR EASTERN AFFAIRS

The Honorable

The Secretary of State,

Washington.

Sir:

Due to the long Easter holidays and the absence from the country of Mr. Titulescu, Minister of Foreign Affairs, the request of Turkey for the revision of the Treaty of Lausanne received very little comment in the Rumanian press. Officials of the Foreign Office were very non-committal in their statements but evinced little surprise or resentment and their feeling seemed to be shared by the public generally. It was felt that the Rumanian

reply

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reply to the Turkish note - when made - would follow the lines of those of the Great Powers in expressing a willingness to consider the matter at an appropriate time. There was added a feeling of gratification that Turkey had requested revision in a legal manner rather than resorting to treaty violation as had Austria and Germany. In spite of this apparent calm, it soon leaked out that Titulescu was most indignant at Turkey's request. It had been taken for granted in Bucharest that, prior to the issuance of the note to the League of Nations and the treaty signatories, Turkey had consulted with her allies in the Balkan Entente. Such now appears not to have been the case. In spite of the legality of Turkey's procedure, Titulescu had again been confronted with a "fait accompli", though of a different and less dangerous type, and in the present tensity of feeling in Europe, the shock to his nerves is comprehensible. Turkey's failure to discuss her proposed action with her allies of the Balkan Entente could easily be interpreted as indicating lack of confidence in them and disruptive of that solidarity of alliances which Titulescu has striven so hard to create. He considers any weakness in the common front presented by the Little and Balkan Ententes particularly dangerous at this time and with the meeting of both groups due to be held in Belgrade in early May, he feels that Turkey might well have delayed so short a time and have informed her allies prior to the actual dispatch of her request. In addition he feels that Turkey's request has come at an inopportune time as it has added to the

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feeling

feeling of unrest and uneasiness so prevalent in Europe. However his main preoccupation is that if Turkey's claims are met, even partially, Hungary and Bulgaria will be encouraged to request revision of the military clauses of the Trianon and Neuilly Treaties. If the request of these countries is made in the same manner as Turkey has made hers, Rumania will find it difficult to refuse consideration and it is well known that Titulescu is not only opposed to any change in the status of these countries but wishes to avoid any discussion of treaty revision affecting them.

In some circles it is felt that Rumania need not be alarmed at the militarization of the Dardanelles for although she suffered by the closing of the Straits during the Great War, both Turkey and Soviet Russia are now considered friendly and the same difficulties are not likely to arise again. Others see no cause for anxiety as in spite of Great Britain's amicable reception of the Turkish request, it is thought she will not permit, in the last analysis, any fortifications which will vitally affect her line of communications to the Black Sea.

Something of Mr. Titulescu's feelings were evidently transmitted to Istambul for he found awaiting him upon his return to Bucharest, April 24th, M.Numan Menencioglu, Secretary General of the Turkish Ministry for Foreign Affairs. His visit had not been previously announced and although he said upon arrival that he had come to visit the numerous friends made in Bucharest while en poste at the Turkish Legation, there was no atmosphere of informality surrounding his movements.

By

By this time the Sud Est Press Agency had indicated in newspapers abroad Rumania's displeasure at Turkey's request. This statement was denied in Istambul but Mr. Menencioglu finally allowed it to be known that he was discussing the matter with Mr. Titulescu. There was much bouquetting and official visiting in the utmost outward cordiality and it is presumed that Mr. Titulescu's ruffled feelings have been somewhat appeased. However, no announcement has been made of any conclusions reached and Foreign Office officials are more reticent than before. The peripatetic Foreign Minister has now gone to Belgrade for the meetings of the Little and Balkan Ententes where the matter will undoubtedly be discussed again and after that some statement may be made of Rumania's attitude.

Respectfully yours,

Frederick P. Hibbard

Frederick P. Hibbard,
Charge d'Affaires a.i.

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Copy to Constantinople.

EMBASSY OF THE
UNITED STATES OF AMERICA

LEGAL ADVISER
JUN 29 1937
DEPARTMENT OF STATE

Ankara, April 23, 1936.

No. 22

DIVISION OF
EUROPEAN AFFAIRS
JUN 25 1937
DEPARTMENT OF STATE

Subject: Turkish Request for Revision of Straits Convention of 1923.

FOR DISTRIBUTION ... Yes No
To ... Field
In U. S. A.

1935 ... 15 PM 2 06

To Navy 5/22/36
RAH/LS
Letter to Mr. MacMurray 5/22/36
PHA/LS

DEPARTMENT OF STATE

FILED
FEB 8 - 1937

767.68119/908

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to enclose herewith, in reference to the Turkish request for revision of the Straits Convention of 1923 (as reported in my despatch No. 905 of April 14), a memorandum of a conversation on that subject which I had yesterday with Dr. Tevfik Rüştü Aras, Minister for Foreign Affairs. I also enclose copies of memoranda of recent conversations with the Japanese Ambassador, the Counselor of the German Embassy, and the British Ambassador, touching on various aspects of the same question.

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The Government of the United States has, as I understand the matter, no treaty right, direct or indirect, with

with respect to the Straits Convention; nor has it any concern with the military and political aspects of that Convention; its sole practical interest in the matter is the maintenance (or perhaps the amelioration) of the régime of freedom of commercial navigation through the Straits. There is every reason to believe that it is the intention of the Turkish Government to maintain that régime satisfactorily and without discrimination for the benefit of maritime traffic, even in the event of the termination of Turkey's present conventional obligations in that regard. And in view particularly of the disposition of the Turkish Government, because of the "favorable balance of trade" with the United States, to give American commerce the most favorable treatment, I am confident that we need feel no anxiety about the continued enjoyment by our shipping of the benefits of the régime.

There are, indeed, certain minor points in which improvements might be suggested. On the basis of its contacts with the American Export Line (the sole American shipping company affected) the Consulate-General informs me that this line, in common with the British and other shipping interests concerned, considers that the quarantine charge of four piastres (say $0.032) per net registered ton on vessels navigating these waters in either direction (and even when not stopping in transit), and the same charge for the maintenance of a life-saving service, levied upon each voyage into the Black Sea, are unduly high and, in the case of vessels merely passing through the

Straits

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Straits, unwarranted. Although it does not appear that, even under the existing Convention, there is any basis for demanding as of right that these charges be abated, there may possibly develop, in connection with the proposed reconsideration of the Convention, some favorable opportunity to suggest to the Turkish Government the reduction of these charges. The Embassy would of course take advantage of any such occasion, either acting alone or cooperating with the representatives of other maritime nations.

Inasmuch as our interest in the question of the Straits is confined to matters in which we can in any case expect the most favorable treatment of our shipping, I venture to suggest that no useful purpose would be served by our being represented by observers in any conference which may be held for the reconsideration of the Convention. On the contrary, in view of the fact that the Turks are even yet manifestly somewhat sensitive about the fact that "as a matter of historical survival" (to quote Dr. Aras) the régime of commercial navigation in these Turkish waters has been treated as a question for regulation by international agreement rather than by domestic action, I am sure they would feel it to be the more friendly and gracious on our part, and would predispose them to entertain the more sympathetically any ameliorative suggestions which we might find occasion to offer, if we were to refrain from any assertion of interest in the Convention such as would be implied in our sending observers to the prospective conference

on

on the subject. I have accordingly to request that, if the Department shares this view, I may be authorized to let the Turkish authorities know, in whatever manner may seem most appropriate, that our Government, while fully appreciative of the importance of the question of the Straits and interested in keeping informed as to the progress of the negotiations, particularly as they affect the commercial navigation of the Straits, has no intention of participating in that conference.

Respectfully yours,

J. V. A. MacMURRAY.

Enclosures:

1. Memorandum of conversation with Minister for Foreign Affairs, April 22.
2. Memorandum of conversation with Japanese Ambassador, April 20.
3. Memorandum of conversation with Counselor of German Embassy, April 21.
4. Memorandum of conversation with British Ambassador, April 22.

Copies to Embassies at Berlin, London, Moscow, Paris, Rome, Tokyo; Legations at Athens, Belgrade, Bucarest, Sofia; and Consulate at Geneva.

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MacM/rs

Enclosure No. 1 to Despatch No. 22 of
April 23, 1936, from the Embassy at Ankara.

Ankara, April 22, 1936.

Strictly Confidential.

Memorandum of Conversation with Dr. Tevfik Rüstü Aras, Minister for Foreign Affairs.

SUBJECT: Turkish Request for Revision of the Straits Convention.

Not having previously had the opportunity of meeting Dr. Aras, I called on him at his house, by appointment, at 4:00 o'clock this afternoon.

The conversation shortly turned to the present troubled state of Europe; and in response to a question, he avowed himself optimist enough to believe that war is not actually imminent, but pessimist enough to feel sure that the present gâchis will go on indefinitely--that things are likely to get worse before they get better-- and that, meanwhile, none of the problems now vexing Europe will be solved. I asked whether an exception might not be expected in the case of Turkey's démarche with regard to the problem of the Straits. He assented with obvious satisfaction; and he then proceeded to observe that, whereas most of Europe is troubled and alarmed, the situation is quite different in two of its extremities, the Scandinavian and the Balkan areas, which have relatively no international problems or apprehensions, and no external entanglements or commitments other than those derived from the League Covenant. For his own part (and throughout the conversation he used the first-person pronoun in referring to the activities or the views of the Turkish Government) he had for fifteen years done his utmost to bring about

appeasement and understanding among the Balkan countries, and could now affirm that there are no appreciable difficulties among them.

Reverting then to the particular question of the Straits, he said that although he had not yet received formal replies from all the Governments concerned, he nevertheless had reason to believe that within a few days all the interested Powers would have given favorable responses: as for the guaranteeing Powers, Great Britain had already consented to negotiate in the sense requested; France would probably do so shortly; Italy might be expected to make only the same reservation that she has hitherto made as to entering into agreements with countries applying sanctions against her; and he anticipated that Japan would only stipulate that the negotiations must take place outside the League of Nations. Of the nations of the Balkan Entente, Yugoslavia and Greece had already indicated a favorable disposition--Greece the more readily, of course, because two of her islands would by the same act be freed from the present restrictions upon their fortification. Upon my inquiring as to Bulgaria, he first remarked that she had no reason to object, and that she had been the beneficiary of a very friendly and helpful policy on the part of Turkey; and that if Bulgaria were to take an unsympathetic attitude, there was no reason why he should continue to befriend her. Having made these comments with some appearance of asperity, he went on to say that Bulgaria had in fact indicated that she would not oppose the Turkish démarche.

As to the procedure by which effect would be given to Turkey's request for a revision of the Straits Convention, Dr. Aras did not seem yet to be clear. He said that he would discuss the matter with the representatives of the interested Powers on the occasion of the meeting of the League Council in May. He added, in that connection, that he would of course keep Mr. Hugh Wilson informed of the progress of such discussions, as well as any Japanese official in Geneva whom the Japanese Ambassador may designate to him for that purpose. He contemplated that the interested Governments would wish to consider the question of the Straits at a conference called for the purpose. He trusted that there would be no demand to have the question considered by the League, both because it is not properly a League question, and because such treatment of it would raise an unnecessary difficulty as regards Japan. There was something to be said, however, for holding the conference at Geneva, outside the League, but with the advantage of the facilities the League affords. On the other hand, the Turkish Government would be very glad to have the conference meet on its own territory--either at Ankara or at Istanbul.

He said it was not yet evident just what form the revision of the Straits Convention should take; there would doubtless be a multilateral convention, but it might also prove necessary to conclude one or more bilateral conventions dealing with the particular interests of, say, the Black Sea States, and especially of Russia (which has never ratified the Straits Convention).

In its substantive aspect, the revision would deal with three general subjects-- 1) the commercial navigation of the Straits, 2) the remilitarization of the zone, and 3) the passage of naval vessels. The first two of these subjects could be disposed of in half an hour, as they present no issue at all.

As to the first, Turkey is ready to agree out-of-hand to continue the present régime of free commercial navigation, and to consider any improvements which may be suggested in that régime, for the impartial benefit of all nations, whether or not they are signatories of the Convention. (and he added that the fact of certain nations being signatory to provisions of that sort was a mere historical survival, and that the only differentiation between signatories and non-signatories would prove to be that the former would now be put to the necessity of negotiating on the subject). Turkey was prepared to assume the appropriate obligations as a matter of voluntary declaration. I understood him to imply (although I missed the opportunity to get him to clear up the point) that he contemplates Turkey's substituting such a unilateral declaration for the existing multilateral provisions of the Convention.

With regard to the remilitarization of the Straits, he said that the indications already received warranted the assumption that the interested Powers are prepared to recognize the abolition of the demilitarized zone.

The sole subject as to which the negotiations may be expected to involve any difficulties is that of the terms on

which naval vessels and aircraft (other than Turkish) shall be allowed to pass through the Straits. Great Britain and Italy may be expected to insist upon a minimum of restriction, and Russia upon a maximum, on the movements of naval vessels or airships. Between these two extremes of political viewpoint, Turkey considers that it should be possible to find a technically sound system of controlling the transit of such craft through the Straits so as to obviate dangers and surprises, either to Turkey herself or to other Powers in the Black Sea or in the Mediterranean. For the protection of Turkey, it might perhaps be provided that such craft would be allowed to pass through only one by one: and to avoid possible surprises to others, there might be provision for advance notification to the Turkish Government, which would thereupon publish or notify the fact to all other Governments concerned. He remarked, however, that these were merely suggestions which might be considered in the course of efforts to find a system of control satisfactory to all the nations affected.

Dr. Aras took occasion to say, early in the course of his comments on the revision of the Convention, and to elaborate at a later point in the conversation, that if there were to be any great delay in effecting the revision as regards the demilitarized zone along the Straits, Turkey would request the approval of the signatory Powers for her taking necessary provisional measures, subject to eventual agreement on a permanent basis. He pointed out that there is at least a

theoretical danger of Turkey's becoming involved in hostilities: for one thing, she is among the countries applying the League sanctions which Italy regards as an abnormality in international relations, and resents as unfriendly: and another aspect of the same fundamental situation is that Italy's especial animosity towards Great Britain might lead to war between Italy and Germany on the one side, and England, France and Russia on the other--a situation in which either group, while having no intrinsic quarrel with Turkey, might feel impelled for military reasons to attempt control of the Straits. While hoping and even believing that such contingencies were merely hypothetical, Turkey could not ignore possibilities so vitally endangering her security, and would feel justified, even under the terms of the existing Convention, in taking necessary measures of precaution; but she preferred to act with the acquiescence of the other signatories rather than to proceed solely upon her own construction of her obligations. He further gave me to understand that he had no reason to apprehend that the negotiations for revision would be protracted, save for the possibility that the procedural requirements might take some time in the case of Great Britain (primarily because of the necessity of consulting the Dominions) and possibly of France and Italy.

The impressions I derived from the rather discursive comments made by Dr. Aras may be roughly summarized as follows:-

Turkey is reasonably confident that through negotiations with the Powers party to the Straits Convention she can arrive

at a complete abrogation of that instrument, and has somewhat vaguely in mind substituting for it

1) A declaration, ex proprio motu, assuring equally to all nations unimpeded commercial navigation of the Straits, in terms substantially identical with those set up by the Convention, although perhaps taking account of ameliorative suggestions from the maritime nations; and

2) A treaty or convention, among those Powers having naval interests in the Mediterranean and the Black Sea, establishing some system of control over the transit through Turkish territory of warships and aircraft--this multilateral treaty possibly being supplemented by bilateral agreements between Turkey and certain of the Powers more particularly concerned:

and that, in the event that the negotiations for the abolition of the demilitarized zone along the Straits are unduly protracted, Turkey will request (or in effect demand) the right to refortify the zone pending the result of the negotiations.

J.V.A. MacMURRAY.

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MacM/rs

Enclosure No. 2 to Despatch No. 22 of
April 23, 1936, from the Embassy at Ankara.

Istanbul, April 20, 1936.

Memorandum of Conversation with
Mr. Iyemasa Tokugawa, Japanese
Ambassador to Turkey.

SUBJECT: Turkish Request for Revision of
the Straits Convention, etc.

The Japanese Ambassador called on me this noon, by appointment made on short notice, and (as I surmise) in the course of a round of similar calls on various colleagues for the same purpose, to ask the views of our Government as to the Turkish request. I outlined to him the course of development of our present treaty relations with Turkey, and (with the concurrence of Mr. Shaw, who was present during a part of the conversation) told him that the United States has no treaty right, direct or indirect, with respect to the Straits Convention.

He inquired whether, having been represented by observers at the original negotiations in Lausanne, we contemplated being similarly represented in any conference for the revision of the Convention. I told him that I had received no indication of my Government's views on any aspect of the present question, and did not have even a personal conjecture as to whether or not it would wish to send observers.

Mr. Tokugawa then raised the question which seemed to be his principal concern--whether the proposed revision

of the Convention would (as generally reported by the local and European press) be considered by the League of Nations. He said he felt sure that his Government would find it unacceptable that this matter should be dealt with by the League; and that, for his own part, he found it preposterous that decisions as to a treaty in which Japan bears a principal responsibility should be taken by an international body from which Japan has withdrawn, and whose membership consists in large part of nations that have no relation to the treaty in question. He did not think that the terms of the guaranty clause (in Art. 18 of the Convention), providing for the contingency of joint action by the guaranteeing Powers by such means as the League Council might decide, could reasonably be construed to give the League any competence as to the revision or termination of the treaty.

J. V. A. MacMURRAY

720
MacM/g

Enclosure No. 3 to despatch No. 22 of
April 23, 1936, from the Embassy at Ankara.

Istanbul, April 21, 1936.

Memorandum of Conversation with Dr. Wilhelm Fabricius, Counselor of the German Embassy (Appointed Minister to Rumania).

SUBJECT: Turkish Request for Revision of the Straits Convention.

Dr. Fabricius called this morning to say his farewells on the eve of his departure to take up his new post at Bucarest.

Apropos of the Straits question, I asked him whether he felt there was any reason to believe the rumors that Turkey has already resumed the military occupation of the zone. He emphatically said that he did not. He told me that, a few evenings previously, he and his wife had had a farewell dinner alone with the Prime Minister, Ismet Inönü, who is an old and intimate friend: and that in the course of a general discussion of the question of the Straits, Ismet had himself referred to such rumors and earnestly denied that there was any basis for them. Dr. Fabricius felt it was unthinkable that Ismet should have gone out of his way to deceive or mislead him, and had full confidence in his denial.

J. V. A. MacMURRAY.

720
MacM/rs

Enclosure No. 4 to despatch No. 22 of
April 23, 1936, from the Embassy at Ankara.

Ankara, April 22, 1936.

Strictly Confidential.

Memorandum of Conversation with Sir Percy Loraine, British Ambassador to Turkey.

SUBJECT: Turkish Request for Revision of the Straits Convention, etc.

On the train from Istanbul to Ankara, on the evening of April 21, I had dinner with Sir Percy Loraine in his compartment. He spoke with admiration (as he had done on the occasion of several more casual conversations I had previously had with him) of the correctness that the Turkish Government had shown in requesting the other signatory Powers to negotiate for a revision of the Straits Convention. Upon my remarking that, despite the request for negotiations, the notes on this subject had nevertheless envisaged the alternative of Turkey's taking her own way in the matter in case her request should not receive an early favorable response, Sir Percy stoutly maintained that the alternative stated would not be a violation of the Convention but an exercise by the Turkish Government of their right, under the Convention, to take necessary protective measures in case of emergency. He also thought the Turks might well claim that the guaranty of their security stipulated in Article 18 of the Convention (providing in effect that in case of necessity the four guaranteeing Powers should act under the direction of the League) had been rendered nugatory by Japan's resignation from the

League and by Italy's defiance of it.

Sir Percy expressed himself as altogether satisfied that there was no truth in the rumors that the Turks had already begun artillery and other defensive preparations in the demilitarized zone of the Straits; he felt confident that, apart from other considerations, they would not be so imprudent as to vitiate the good opinion they had won, and their claims to favorable consideration by reason of having requested negotiations rather than having confronted their co-signatories with a fait accompli.

He seemed to think that none of the signatories, except perhaps Italy, would put any serious obstacles in the way of Turkey's achieving the desired revision. To my inquiry whether Bulgaria might not make difficulties, he replied that he had been "almost categorically advised" that she would not do so. But he went on to say that Bulgaria would certainly make this the occasion for demanding a port on the Aegean Sea, on the ground that the refortification of the Straits impaired her sole maritime access, through the Black Sea and the Straits, to the greater waters beyond. He foresaw that Bulgaria would make a demand for an outlet to the Mediterranean through Dedeagach -- a demand contemplating full territorial rights, but possibly capable of being satisfied by the establishment of a corridor or even by some arrangement for a free port with guaranteed means of access. Whatever concession of this sort might be worked out would of course have to be made at the expense of Greece;

but it was possible that, with a view to harmonizing and stabilizing the situation among the Balkan States, Greece might see her way to make such a concession to Bulgaria in return for compensations (perhaps economic, perhaps in the form of contributions to her security) from Turkey and other interested Balkan countries. Sir Percy's manner of referring to this possibility left on me the impression that he was thinking of it not as an abstract hypothesis but as a suggestion actually under discussion or in the wind.

Our talk drifted over to the subject of the situation arising out of the German remilitarization of the Rhineland, and I expressed my own uncertainty as to what is implied in the German claim to be considered as a colonial Power. Speaking rather solemnly and sententiously, Sir Percy said that the doubt in my mind might be cleared up by his telling me that the British had reason to know that if they were to offer to transfer to Germany their own position in any of their mandated territories--if, for instance, they were to propose that Germany should take over their mandate in Tanganyika--that offer would be rejected with contumely. He seemed clearly to convey the implication that the German Government had been sounded on such a proposal.

J. V. A. MacMURRAY.

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MacM/rs

DEPARTMENT OF STATE

~~PHA~~

DIVISION OF NEAR EASTERN AFFAIRS

6/30

TD/- Mr de Wolf

Dear Francis -

Would you give us the benefit of your comments & suggestions on this

Ma

DEPARTMENT OF STATE
JUN 30 1930
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1936 JUL 18 DIVISION OF NEAR EASTERN AFFAIRS

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DEPARTMENT OF STATE
JUL 21 1936
DIVISION OF
NEAR EASTERN AFFAIRS

DIVISION OF
COMMUNICATIONS
AND RECORDS

MEMORANDUM

June 11, 1936.

FW 767.68119/908

P.E. 006.7

In the attached memorandum Mr. DeWolf expresses the opinion that this Government would not have the legal right to invoke the Straits Convention since we are not a party to that instrument. A further research of the authorities appears to confirm this view. Apparently the most thorough study of the rights of the third states with respect to international conventions is contained in a monograph by Ronald F. Roxburgh entitled "International Conventions and Third States". After an exhaustive discussion on the question Mr. Roxburgh comes to the following conclusions:

FILED
JUL 27 1936

> "A treaty cannot impose any obligations recognized by International Law upon a state which is not a party to it; nevertheless a treaty may be incidentally detrimental to a third state, and the third state is in such a case generally without legal remedy. The matter is, however, different when the treaty in question is contrary to International Law, when it conflicts with rights already vested in the third state, and perhaps when it endangers the safety of the third state; in these cases the third states adversely affected have a right of intervention.
>
> "A third state cannot call upon the contracting parties to fulfil the terms of a treaty merely because the execution of the treaty would be incidentally beneficial to it; nor even because the parties intended the treaty to be beneficial to it.

But

> But to treaties intended to confer rights on third states different considerations apply. Such a treaty usually contains an 'accession' or 'adhesion' clause; in this case states availing themselves of it in the manner prescribed acquire rights and incur obligations under a new treaty between themselves and the original parties, identical in terms with the original treaty. It has been submitted in the course of this monograph that the existence of an 'accession' or an 'adhesion' clause in a treaty prevents third states from entering into a new contract of this kind by conduct amounting to acceptance of an offer held out to them. On the other hand, where a treaty is intended to be in the nature of an International Settlement, is intended to confer rights, and incidentally duties, upon third states, and does <u>not</u> contain an 'accession' or 'adhesion' clause, there are grounds for believing that such a treaty amounts to an offer by the original parties to third states to enter into an additional contract, an offer capable of acceptance by conduct. If it be so, third states accepting by conduct acquire rights and incur duties identical with those arising under the original treaty; but not otherwise."

The Straits Convention which was signed by Great Britain, France, Italy, Japan, Bulgaria, Greece, Rumania, Yugoslavia, and Turkey may properly be considered a treaty in the nature of an "International Settlement". In at least one case involving a similar treaty the view has been expressed that third states had the right to insist upon compliance with the terms of such conventions. Thus the following example is given in a note on page 736 of Oppenheim's International Law (4th Ed.) edited by Arnold D. McNair:

> "The case of treaties intended to make an 'international settlement' would seem to be a case of

unanimous

> unanimous implied consent. With regard to the Convention of 1856 between Great Britain, France, and Russia whereby Russia undertook not to fortify the Aaland Islands, it should be noted that the Committee of Jurists appointed by the Council of the League took the view that this Convention, embodying 'a settlement regulating European interests . . . constituted a special international status . . . for the Aaland Islands,' and that 'until these provisions are duly replaced by others, every State interested has the right to insist upon compliance with them.'"

However, it appears to be the rule as stated by Roxburgh that even in case of a treaty in the nature of an international settlement third states acquire no rights unless the instrument fails to contain an "accession" or "adhesion" clause.

The convention relating to the regime of the Straits provides such a clause in Article 19 which reads as follows:

> "The High Contracting Parties will use every possible endeavor to induce non-signatory powers to accede to the present convention".

There can be no doubt, therefore, that the Straits Convention is open to accession by the United States. In fact, the Turkish Government endeavored on at least one occasion to obtain the accession of the United States. Under the circumstances it would appear to be extremely doubtful whether this Government is in a legal position to invoke the provisions of the Straits Conventions with respect to the passage of commercial and war vessels

through

through the Straits. Even if the Convention had no provision for accession by third parties it may be observed that according to Roxburgh third states which by conduct acquire rights under treaties of international settlement likewise incur duties identical with those arising under the original treaty. Accordingly it might be argued that if the United States insisted that it had a right to invoke the Straits Convention it would also incur the obligations provided by that Convention. In this connection it may be observed that one of the obligations imposed upon the High Contracting Parties is to meet any "violation, attack or other act of war or threat of war by all the means that the Council of the League of Nations may decide for this purpose". The United States obviously does not wish to incur any such obligation and accordingly it presumably might hesitate to invoke the terms of the Convention even if it had the legal right to do so.

A somewhat similar situation arose in connection with the Convention of October 29, 1888, with respect to the transit of the Suez Canal. This Treaty had been signed by Great Britain, Germany, Austria-Hungary, Spain, France, Italy, The Netherlands, Russia, and Turkey. It was apparently in the nature of a treaty of "international settlement"

tlement" such as is discussed by Roxburgh. Article 1 of the Treaty provided as follows:

> "The Suez Maritime Canal shall always be free and open in time of war as in time of peace to every vessel of commerce of of war without distinction of flag".

(In this connection it is interesting to observe the similar provision in the Straits Convention which reads as follows:

> "Complete freedom of navigation and passage by day and by night under any flag".)

A question with regard to the passage of the Suez Canal by American men of war arose in 1898 at the time of the Spanish American War. On June 25 of that year the Secretary of State sent the following instructions to the American Ambassador at London:

> "We desire to send war ships through the Suez Canal. Mention the matter to the Minister of Foreign Affairs and while discreetly assuming that no objection will be made ascertain probable source of objection if any and attitude of the Government of Great Britain thereon".

The American Ambassador obtained an interview with Lord Salisbury and assuming that no objection would be made to the passage of American men of war through the Canal inquired "whether there had been any modification of the Convention of 1888 which would go to place the non-signatory powers on any different footing from those signing

ing the Convention. Lord Salisbury replied that there had been none. Mr. Hay in reporting upon this matter stated that the attitude of the British Government was that we are unquestionably entitled to the use of the Canal for war ships. It is interesting to observe, however, that the following instructions were sent to the Ambassador in London on July 11, 1898:

> "I have to acknowledge the receipt of your No. 438 of the 25th ultimo, in which you convey the purport of your conversation with the Marquis of Salisbury in relation to the passage of the Suez Canal by ships of war.
>
> "Your action in merely referring to the convention of Constantinople of October 29, 1888, in relation to the free navigation of the Suez Canal, as defining the attitude of the contracting parties on the subject, is approved.
>
> "The object of the Department in telegraphing to you was threefold:
>
> "1. It was desired to avoid even the possibility of objection being made to the use of the canal by our ships of war at a time when the need for such use might be immediate and imperative.
>
> "2. The Department, while recognizing the general and unrestricted purpose of the convention of October 29, 1888, was not disposed wholly to rely upon it or formally to appeal to it, since the United States is not one of the signatory powers.
>
> "3. The Department was not disposed, by a formal appeal to the convention, to recognize a general right on the part of the signatories to say anything as to the use of the canal in any manner by the United States.
>
> "So far as the Department is advised, Great

Britain

Britain is the only Government that owns any stock, or at any rate a considerable amount of stock, in the canal, and therefore the only one in a position to assert any claim of control on that ground.

"The Department is gratified with the response made by Lord Salisbury to your inquiry."

From the foregoing it is obvious that this Government was not disposed to rely upon or appeal to the Suez Convention since we were not one of the signatory powers. Applying the foregoing to the Straits Convention it is apparent that we might hesitate to invoke the Straits Convention on the same principle.

Noted
7/2/34
DWB

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DEPARTMENT OF STATE

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DEPARTMENT OF STATE
JUN 10 1936
DIVISION OF
NEAR EASTERN AFFAIRS

1936 JUL 18 AM 11 07

June 6, 1936

DIVISION OF
COMMUNICATIONS
AND RECORDS

MEMORANDUM

FW 767.68119/908

TD:Mr. Barnes:

1908

In the attached letter to the American Ambassador at Istanbul the following statement occurs:

> "First, the Straits Convention itself which, as you will recall, provides in Annex I for 'complete freedom of navigation and passage by day and by night under any flag . .' It has been our view that even though we were not a party to the Straits Convention the above-mentioned provision might be invoked by us in case of need. To that extent we have always felt that we had an indirect right with respect to the Convention."

It is my belief, supported by the authorities hereunder quoted, that we do not have a legal right to invoke a convention to which we are not a party. In the instant case this point is somewhat academic as the second grounds for invoking the convention, namely the American-Turkish exchange of notes of February 17, 1927, would appear to be valid. But for the sake of the record I submit this memorandum.

Effect

ENCLOSURE

JUL 27 1936

Effect of treaties upon third parties. Oppenheim, in his International Law, Volume I, pages 735-736, writes as follows concerning the effect of treaties upon third States.

"According to the principle pacta tertiis nec nocent nec prosunt, a treaty concerns the contracting States only; neither rights nor duties, as a rule, arise under a treaty for third States which are not parties to the treaty. But sometimes treaties have indeed an effect upon third States. Such an effect is always produced when a treaty touches previous treaty rights of third States. Thus, for instance, a commercial treaty conceding more favourable conditions than hitherto have been conceded by the parties thereto has an effect upon all such third States as have previously concluded commercial treaties containing the so-called most-favoured-nation clause with one of the contracting parties.

"The question arises whether in exceptional cases third States can acquire rights (and become subject to the duties connected therewith) by giving their express or implied consent to the stipulations of such treaties as were specially concluded for the purpose of creating such rights, not only for the contracting parties, but also for third States. Thus, the Hay-Pauncefote Treaty between Great Britain and the United States of 1901, and the Hay-Varilla Treaty between the United States and Panama of 1903, stipulate that the Panama Canal shall be open to vessels of commerce and of war of all nations, although Great Britain, the United States, and Panama only are parties. Thus, further, Article 5 of the Boundary Treaty of Buenos Ayres of September 15, 1881, stipulates that the Straits of Magellan shall be open to vessels of all nations, although Argentina and Chile only are parties. I believe that the question must be answered in the negative, and nothing prevents the contracting parties from altering such a treaty without the consent of third States, provided the latter have not in the meantime customarily acquired such rights through the unanimous implied consent of all concerned."

Professor Garner, in his comments on the Draft Convention on the Law of Treaties in the Harvard Research on International Law, discusses at some length the question of the rights of third parties under the stipulations

of

of treaties. He proposes a draft article reading as follows:

> "If a treaty contains a stipulation which is expressly for the benefit of a State which is not a party or a signatory to the treaty, such State is entitled to claim the benefit of that stipulation so long as the stipulation remains in force between the parties to the treaty."

But he reaches a conclusion that even where the treaty contains an express stipulation for the benefit of third parties, the right, at best, is a precarious one.

> "It would seem to be a sound principle, therefore, that when a State not a party to a treaty is nevertheless the beneficiary of an advantage or privilege derived from such treaty, the advantage or privilege must be regarded as a precarious one, to be enjoyed only so long as the parties choose to maintain the treaty in force between themselves, and to execute its stipulations. The State which accepts and avails itself of the benefit must do so with full knowledge of the precariousness of its duration and subject to any risk which may be involved in its reliance upon the assumed continuance of the benefit."

TD:FCdeW:MG:SS

DIVISION OF WESTERN EUROPEAN AFFAIRS
JUN 2 1936
DEPARTMENT OF STATE

767.68119/908

May 28 1936

Dear Mr. Ambassador:

We have received your despatch No. 22 of April 23, 1936, 908 and the interesting memoranda enclosed therewith concerning the Turkish request for revision of the Straits Convention of 1923. We shall, of course, go into this matter thoroughly and explore the various possibilities so that it may well be that several weeks will elapse before we are able to send you official instructions. Doubtless before preparing such instructions we shall want to consult with the Navy Department and obtain its views.

In reading the memoranda enclosed with your despatch we were particularly struck with the statement made to the Japanese Ambassador at the time of your conversation with him on April 20, 1936. The statement in question reads as follows:

> "I outlined to him the course of development of our present treaty relations with Turkey, and (with the concurrence of Mr. Shaw, who was present during a part of the conversation) told him that the United States has no treaty right, direct or indirect, with respect to the Straits Convention."

We were particularly struck by that portion of the statement that is underlined because we had always been inclined

The Honorable
John Van A. MacMurray,
American Ambassador,
Istanbul.

clined to feel that we did have at least an indirect interest in the Straits Convention. This indirect interest, according to our view, flows from two instruments: First, the Straits Convention itself which, as you will recall, provides in Annex I for "complete freedom of navigation and passage by day and by night under any flag . ." It has been our view that even though we were not a party to the Straits Convention the above-mentioned provision might be invoked by us in case of need. To that extent we have always felt that we had an indirect right with respect to the Convention. The second instrument which we have thought would give us a possible right to invoke the Convention is the American-Turkish exchange of notes of February 17, 1927. Article 3 of that document provides that, pending the coming into effect of a Consular Convention and a Convention of Establishment and Residence, the "essential provisions of the Turkish-American Treaty signed at Lausanne August 6, 1923," should constitute the basis for the treatment which each country would accord to the nationals of the other. Certainly one of the essential provisions of our Treaty of Lausanne was Article 10 providing for complete liberty of navigation and passage in the Straits by American commercial vessels and aircraft and war vessels and aircraft.

The situation as described above is somewhat similar to that respecting claims as set forth in Paragraph 2(c) of the exchange of notes of February 17, 1927. You will recall that

provision

provision was made in that paragraph that the claims should be dealt with, in accordance with the notes of December 24, 1923, six months after the exchange of ratifications of a Commercial Convention and a Convention of Establishment and Residence. As you know, this provision was duly carried out and the claims were settled. It is obvious, therefore, that the Turks considered the exchange of notes of February 17, 1927, in full force subsequent to the ratification of the above-mentioned conventions. There is therefore every reason to believe that they would apply the same principle to Article 3 of the exchange of notes and agree that the essential provisions of our Treaty of Lausanne should constitute the basis for the treatment which each country accords to the nationals of the other until such time as a consular convention has been negotiated and enters into force. In view of the foregoing we have always inclined to the view that the above-mentioned exchange of notes gave us an indirect right with respect to the Straits Convention.

You may be inclined to think that this whole matter is rather academic in view of the present situation, but it seems to me that the question is an interesting one which we should not overlook and we should be very glad to have your views with respect thereto.

Very sincerely yours,

Wallace Murray

A true copy of the signed original

MAY 27 1936

NE PHA/LS

noted

26 1936.

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DEPARTMENT OF STATE
RECEIVED
JUL 18 1936
DIVISION OF
COMMUNICATIONS AND RECORDS

DEPARTMENT OF STATE

TREATY DIVISION

WSM - Do you think we should write to Istanbul or let sleeping dogs lie.

July 1, 1936.

We might write a brief word to Istanbul but it has no great importance

NE - Mr. Alling:

In reply to your request for comments and suggestions I can only say that I enjoyed reading your very carefully prepared and scholarly memorandum and that I was pleased to see that it confirmed the views which I had expressed in my memorandum of June 6, 1936. My only suggestion is that we might address a short letter to Mr. MacMurray pointing out that on second thought we had rather rely on the American-Turkish exchange of notes of February 17, 1927, than on the Straits Convention itself.

DEPARTMENT OF STATE
JUL 3 1936
DIVISION OF
NEAR EASTERN AFFAIRS

noted 7/2/36 O.W.B.

FILED
JUL 18 1936

TD:FCdeW:VN:SS

NO. 1686 Political.

AMERICAN CONSULATE

DEPARTMENT OF STATE

Geneva, Switzerland, May 7, 1936.

DEPARTMENT OF STATE
MAY 19 1936
DIVISION OF
NEAR EASTERN AFFAIRS

DIVISION OF WESTERN
EUROPEAN AFFAIRS
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MAY 18 1936
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COMMUNICATIONS
AND RECORDS

DEPARTMENT OF STATE
DIVISION OF
COMMUNICATIONS AND RECORDS
LEAGUE OF NATIONS SECTION
MAY 18 1936
1-COPY RETAINED

DEPARTMENT OF STATE
MAY 23 1936
ASSISTANT SECRETARY OF STATE

SUBJECT: Régime of the Straits - Communication from the British Government.

O.N.I
EPL

THE HONORABLE

THE SECRETARY OF STATE

WASHINGTON

MAY 21 1936
767.68119/899

SIR:

I have the honor to refer to my despatch No. 1654 Political of April 14 last enclosing a copy of the communication addressed by the Turkish Government to the Secretary-General of the League in regard to Turkey's desire for a revision of the régime of the Straits.

1/ In this regard, I enclose one copy of League Document No. C.181.M.116.1936.VII which sets forth a communication from the British Government dated April 17 giving the text of its reply to the Turkish Government in this matter. As this is the only document thus far issued by the League Secretariat on the proposed revision of the régime of the Straits since the publication of the Turkish communication of April 11, it is presumed that any other replies which may have been made by interested governments to the Turkish

FILED
MAY 23 1936

Government

767.68119/909

Government have not been communicated to the Secretary-General.

Respectfully yours,

Curtis T. Everett

American Consul.

Enclosure:

No.1: League Document No. C.181.M.116.1936.VII.

EPL/EW

Original and five copies to Department of State.

One copy to American Legation, Bern, Switzerland.

Enclosure No 1
with No 1686 of
Room 7 1936

LEAGUE OF NATIONS

C.181.M.116.1936.VII.

Communicated to the
Council and Members
of the League.

Geneva, April 21st, 1936.

CONVENTION RELATING TO THE REGIME OF THE STRAITS,

SIGNED AT LAUSANNE, JULY 24th, 1923.

Communication from the United Kingdom Government.

London,

17th April, 1936.

To the Secretary-General.

With reference to League of Nations document No. C.154.M.92.1936.VII of 11th April, 1936, I am directed by His Majesty's Principal Secretary of State for Foreign Affairs to transmit to you the accompanying copy of the reply which His Majesty's Government in the United Kingdom have returned to the aide-mémoire addressed to them on 11th April by His Excellency the Turkish Ambassador in London regarding the desire of the Turkish Government to enter into discussions with the interested Powers with a view to the revision of the Convention relating to the Régime of the Straits signed at Lausanne on the 24th July, 1923.

2. I am to request that you will be good enough to communicate to the States Members of the League of Nations the text of the enclosed note in view of the fact that the Turkish aide-mémoire of 11th April has been similarly circulated.

I am, etc.,

(Signed) G.W. RENDEL.

P.T.O.

LONDON, 16th April, 1936.

Your Excellency,

On 11th April the Counsellor of the Turkish Embassy communicated to my Department an aide mémoire (No.191/33) dated 11th April expressing the desire of the Turkish Government to enter into discussions with the interested Powers with a view to the revision, in thelight of existing political and military conditions, of the Convention relating to the Régime of the Straits, signed at Lausanne on 24th July, 1923. I understand that a similar aide mémoire has been communicated not only to the other signatories of that Convention, but also to the Secretary General of the League of Nations for the purpose of communication to all Members of the League.

2. I have taken note also of the assurance which His Excellency the Turkish Minister for Foreign Affairs has been good enough to give to His Majesty's Ambassador in Turkey that the revision which the aide mémoire is designed to obtain relates only to the military clauses of the Convention.

3. The request of the Turkish Government for the reconsideration of these clauses raises issues which require careful examination, and you will appreciate the fact that His Majesty's Government in the United Kingdom will need to consult His Majesty's Governments in the Dominions before expressing detailed views.

4. While compelled therefore to reserve their comments for the time being on the substance of the aide mémoire of 11th April, His Majesty's Government in the United Kingdom nevertheless recognise that the request for discussion contained therein is one which the Turkish Government are fully entitled to make, and they regard it as a valuable proof of the fidelity of the Turkish Government to the principle that international treaties cannot be modified by unilateral action. On behalf of His Majesty's Government in the United Kingdom I therefore have pleasure in assuring Your Excellency without delay that they are ready to discuss the question which has been raised at such time and in such manner as may be found most convenient to all concerned.

I have the honour to be, with the highest consideration ,

Your Excellency's obedient Servant,

(For the Secretary of State)

(Signed) G.W. RENDEL.

His Excellency
BAY FETHI OKYAR,
etc., etc., etc.

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY

Tokyo, May 1, 1936.

No. 1807.

Copy transmitted by the Commercial Office (A.O/O)

SUBJECT: RE-ARMING OF THE DARDANELLES.

767.68119/910

DIVISION OF EASTERN EUROPEAN AFFAIRS JUN 8 - 1936 DEPARTMENT OF STATE

Division of FAR EASTERN AFFAIRS JUN 5 - 1936 Department of State

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DIVISION OF COMMUNICATIONS AND RECORDS

FOR DISTRIBUTION - CHECK Yes No
To the Field
In U. S. A.

DEPARTMENT OF STATE MAY 19 1936 DIVISION OF NEAR EASTERN AFFAIRS

The Honorable

The Secretary of State,

Washington.

Sir:

767.68119/900

FILED JUN 23 1936

In confirmation of my telegram No. 90, April 27, 4 p.m., and with reference to the Department's instruction No. 542 dated June 29, 1934, I have the honor to report that the Japanese Government has stated its willingness to discuss with the other signatories of the Lausanne Convention the matter of the Turkish request that the question of re-arming the Straits be considered. This attitude on the part of the Japanese Government was confirmed by the Turkish Ambassador who stated that the article which appeared on the subject in the JAPAN ADVERTISER of April 26, 1936, was substantially correct.

Copies

1/ Copies of this article are appended hereto.

In discussing this matter with a member of the staff of the British Embassy, a member of my staff was informed that the British Government, which had first been approached by the Turkish Government on the subject, had expressed in its reply its appreciation of Turkey's action in approaching this problem in an orderly fashion and with due regard for the rights of others in contrast to the methods employed by some other nations in recent years which involved unilateral action and simple repudiation of obligations. When asked whether there was not some question as to whether or not action had already been taken by Turkey toward re-arming the Dardanelles in contravention to the terms of the Lausanne Convention, the member of the British Embassy staff replied that he did not believe there was. He further stated that when the Japanese Government inquired of his Government what its attitude to the Turkish request would be, the Japanese Government was informed of the nature of the British reply to the Turkish Government as outlined above.

As to the possibility that Japan may make reservations, if and when a meeting of the signatories of the Convention take place, it is not understood what reservations Japan could effectively make in view of the fact that under Article 2 (b) of the Convention the Soviet Black Sea Fleet is at present perfectly free to make the passage of the Straits in time of war. Furthermore, I am informed

<u>that</u>

that the Soviet Ambassador, in conversation with another colleague, stated that to begin with the Black Sea Fleet was solely for the purpose of Russian defense in the Black Sea and that in the second place his Government would not care, in the event of war with Japan, to expose its Black Sea Fleet to the same disaster which overtook Rozdjestvensky in 1904; it was a wholly inferior fleet to that of the Japanese and it could not be effective in any case at such a great distance from its base. He indicated that Soviet Russia would restrict its naval operations to the use of submarines based upon Vladivostok.

Respectfully yours,

Joseph C. Grew

Enclosure:
1/ Clipping from JAPAN ADVERTISER dated April 26, 1936.

500.
ESC:g

Copy to Embassy, Istanbul.
Copy to Embassy, London.

Enclosure No. 1 to despatch
No. 1807 of April 26, 1936, from the
Embassy at Tokyo.

TURKISH PROPOSALS APPROVED IN TOKYO

Answers to Memorandum Sent to Angora Direct and Through Ambassador in Japan

ENVOYS BEING SELECTED

Nation May Make Reservation Due to Presence of Soviet Fleet in Red Sea

Japan is willing to discuss with other signatories to the Locarno pact the matter of Turkish rearming of the Dardanelles, the Cabinet decided at its regular meeting on Friday, according to Domei. The decision followed the recent memorandum filed with the Japanese Foreign Office by the Turkish Ambassador in Tokyo, Mr. Husrev Gerede.

In accordance with the Cabinet's decision, Foreign Minister Arita has cabled Mr. Iyemasa Tokugawa, Ambassador to Turkey, to notify the Turkish Government.

Yesterday morning, Mr. Arita invited Ambassador Husrev Gerede to the Foreign Office, where an answer to his memorandum on the matter was delivered by Foreign Vice-Minister Kensuke Horinouchi, according to the Asahi, which gives the gist of this communication as follows:

"The Japanese Government acknowledges the receipt of the Turkish Government's communication of April 11 and will be glad to participate in the negotiations to establish a new agreement appropriate to present conditions.

"The Japanese Government hopes, however, that the time, place and form of the parley will be selected with a view to the convenience of the participating nations."

The Japanese representatives to the parley are now said to be under consideration by the Foreign Office.

A reservation is likely to be made by Tokyo, according to the Jiji. Alteration of the status of the straits may mean that the Soviet Union can bring its Black Sea fleet to the Far East, it is pointed out. "Certain conditions" may therefore be proposed.

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 1544 Moscow, April 24, 1936

Subject: The Soviet Government and the Revision of the Straits Convention.

DIVISION OF EASTERN EUROPEAN AFFAIRS
JUN 8 - 1936
DEPARTMENT OF STATE

DEPARTMENT OF STATE
A-C/C
ASSISTANT SECRETARY OF STATE
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JUN 10 1936

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In U. S. A.
Copy to Embassy, Istanbul

Copy Transmitted by The Commercial Office (A-C/C)
To Istanbul

DEPARTMENT OF STATE
MAY 19 1936
DIVISION OF NEAR EASTERN AFFAIRS

767.68119/911

The Honorable

The Secretary of State,

Washington.

Sir:

1/ I have the honor to enclose in translation the answer of the Soviet Government to the Turkish note asking for a revision of the Straits Convention. This note was published in the Moscow IZVESTIYA No. 92 (5949) of April 18, 1936.

As was to be expected, the Soviet reply expressed complete approval of the action of the Turkish Government, sympathy with the motives which impelled it, and readiness to participate in any negotiations intended "to bring the regime of the Straits into accord with the interests of the security

FILED
JUN 23 1936

security of Turkey and of peace and quiet in that area."

The Soviet Government has always advocated the fortification of the Straits by Turkey. At the time of the Lausanne Conference, the Soviet Government took a stand on this question even more intransigent than that of Turkey herself. The Soviet Government has subsequently let it be understood that its failure to ratify the Lausanne Convention was the result of its disapproval of the clauses forbidding the fortification of the Straits.

The enclosed note was backed by editorials** in the two leading Moscow newspapers, giving unqualified support to the Turkish position. Inasmuch as official Moscow circles are unable to discuss any topic of foreign affairs without reference to Germany, much was said in these editorials about the danger of war and the aggressive plans of certain nations, but little was said which sheds any new light on the policies of the Soviet Union toward Turkey and the question of the Straits.

Rumors have been current in Moscow to the effect that the relations between Moscow and Turkey are not now so intimate as they have been. There is a feeling that increasing antagonism between England and

Italy

** Moscow PRAVDA No. 104, April 14, 1936, and Moscow IZVESTIYA No. 88 of April 14, 1936.

Italy will lead England to seek close friendship with Turkey, and that Turkey will become less dependent on the Soviet Union.

The Russian-Turkish friendship has been a mariage de convenance and there is no reason to suppose that it will long outlive the practical advantages which have given rise to it. It is still, however, mutually advantageous.

Respectfully yours,

William C. Bullitt.

1 copy G-M

Enclosure:

1. Translation of Soviet reply to Turkish Government, as stated above.

File No. 710.
Quintuplicate to Department.
Copy to Riga.

GFK/co

Enclosure No. 1 to despatch
No. 1544 of April 24, 1936.
from the American Embassy,
Moscow.

(Translation)

SOURCE: IZVESTIYA No. 92 (5949) of
April 18, 1936.
(Organ of the All-Union Central
Executive Committee)

THE ANSWER OF THE SOVIET GOVERNMENT TO THE TURKISH NOTE CONCERNING THE STRAITS

On April 16, 1936, the People's Commissar for Foreign Affairs, Comrade M.M. Litvinov handed to the Ambassador of the Turkish Republic M. Zekai Apaydin the following note:

"Mr. Ambassador,

I have the honor to acknowledge the receipt of your note of April 11, 1936, in which the Government of the Turkish Republic proposes to those states 'which participated in the consideration of the Straits Convention', - 'that negotiations should be opened for the purpose of concluding in the near future agreements designed to regulate the regime of the straits in such a way as to assure the necessary integrity of Turkish territory, and in the most liberal spirit possible with respect to the constant development of commercial navigation between the Mediterranean and Black Seas'.

In reply, I have the honor, at the direction of the Government of the Union of Soviet Socialist Republics, to inform you of the following:

The

The Government of the Union has already, on numerous past occasions, stated with complete conciseness its attitude with respect to the regime of the straits. It has always considered that the sovereignty of Turkey should be completely preserved in that zone as a necessary condition for the maintenance of peace and quiet in the straits. This principle was laid down in Soviet-Turkish Treaty and was made the basis of the proposals advanced by the Soviet Delegation at the Lausanne Conference in 1922-23. Since that time the views of the Soviet Government on the question of the regime of the straits have not changed.

The Soviet Government considers the anxiety of the Turkish Government with respect to the insecurity of general peace at the present moment and with respect to the existence of a serious threat of war as entirely justified, and therefore considers as natural, in the present circumstances, the endeavors of the Turkish Republic to assure the security of its territory by means of an appropriate alteration of the regime of the straits.

In view of the above the Government of the Union of Soviet Socialist Republics declares its readiness, in accordance with the proposals of the Government of the Turkish Republic, to take part in negotiations with a view to bringing the regime of the straits into accord with the interests of the security of Turkey and to assuring peace and quiet in that area.

Please accept, Mr. Ambassador, the assurances of my deepest respect.

M. LITVINOV".

GFK:ms

DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY

WASHINGTON

(SC) EF70

~~EF70/A14-7(310605)~~

1936 MAY 25 AM 10 35

MAY 23 1936 June 2 1936

~~To Navy 5/27/36~~

RAH/LS

CONFIDENTIAL

DIVISION OF COMMUNICATIONS AND RECORDS

DEPARTMENT OF STATE

MAY 25 1936

DIVISION OF NEAR EASTERN AFFAIRS

Passed 6/1/36 To Istanbul 6/26/36 RAH/LS

DIVISION OF WESTERN EUROPEAN AFFAIRS

JUN 2 1936

DEPARTMENT OF STATE

767.68119/912

FILED

FEB 26 1941

Sir:

I acknowledge, with appreciation, receipt of your letter NE 767.68119/897 of 12 May, 1936, transmitting a copy of the text, in French, of a memorandum from the Turkish Government to the signatories of the Treaty of Lausanne with respect to the fortification of the Dardanelles by Turkey. Your letter also inclosed a copy of a translation of the memorandum referred to above, a copy of a despatch of April 14, 1936, from the American Ambassador at Istanbul and a copy of a despatch dated April 20, 1936, from the American Embassy at London on this same subject.

June 30 1936

The Navy Department has considered the development presented in the communications mentioned above and the previous correspondence between the two Departments upon the subject of freedom of navigation of the Dardanelles Straits by American vessels and aircraft.

It is the understanding of the Navy Department that the effects of the action now being initiated by the Turkish Government would be substantially similar, in so far as American navigational interests are concerned, to the effects anticipated from the possible events foreshadowed by the information transmitted in your letter of July 26, 1935, file NE 767.68119/878.

In consequence of this understanding the views of the Navy Department on this subject remain as set forth in its letter, Confidential (SC) EF70, addressed to you August 17, 1935.

Respectfully,

W. H. Standley

Acting Secretary of the Navy.

The Honorable,

The Secretary of State.

June 2 1936

In reply refer to
NE 767.68119/912

767.68119/912

My dear Mr. Secretary:

I wish to acknowledge the receipt of your Department's letter of May 23, 1936, (SC) EF70, in reply to my letter of May 12, 1936, with respect to the proposed revision of the régime of the Straits, in which connection it is noted that the Navy Department reaffirms its views as expressed in its letter of August 17, 1935.

There is now transmitted for your information a copy of a further communication on this subject recently received from the Ambassador at Istanbul. 914 I would invite your attention particularly to the memorandum of the conversation between the Ambassador and the Turkish Foreign Minister which led the former to believe that the probable outcome of the negotiations proposed by the Turks might be summarized somewhat as follows:

> "1) A declaration, ex proprio motu, assuring equally to all nations unimpeded commercial navigation of the Straits, in terms substantially identical with those set up by the Convention, although perhaps taking account of ameliorative suggestions from the maritime nations; and

"2) A

The Honorable

Claude A. Swanson,

Secretary of the Navy.

"2) A treaty or convention, among those Powers having naval interests in the Mediterranean and the Black Sea, establishing some system of control over the transit through Turkish territory of warships and aircraft -- this multilateral treaty possibly being supplemented by bilateral agreements between Turkey and certain of the Powers more particularly concerned."

Your attention is also invited to the views expressed by the Ambassador in his covering despatch regarding American interests involved and the inadvisability of American participation in any conference which may be held for the reconsideration of the Straits Convention.

Before complying with the Ambassador's request for instructions as to the attitude which he should adopt in this connection I should be pleased to receive any further observations which you may care to make in the light of the situation described in the Ambassador's despatch.

Sincerely yours,

For the Secretary of State:

William Phillips

Under Secretary

CR Jun. 2. 1936.

Enclosure:

From Embassy, Ankara,
No. 22, April 23, 1936.

NE RAH/LS

A true copy of the signed original.

TELEGRAM RECEIVED

MJD

FROM

GRAY

Geneva (Part Air)

Dated May 25, 1936.

Rec'd. 9:25 a. m.
May 26.

DIVISION OF WESTERN EUROPEAN AFFAIRS
JUN 1 1936
DEPARTMENT OF STATE

DEPARTMENT OF STATE
MAY 26 1936
DIVISION OF NEAR EASTERN AFFAIRS

Secretary of State,

Washington.

189, May 25, 1 p. m.

An official of the Turkish Foreign Office has recently been in Geneva. I learn from an informed source that he has completed a tour of the Balkan capitals and is now proceeding to Paris and London. His object is in consultation with the interested governments to prepare the thesis which Turkey will present at the Conference on the Regime of the Straits scheduled to meet at Montreux on June 22 in as widely acceptable a form as may be possible.

I understand that the line being followed by the Turkish official is that the "Regime" will remain in effect, that commerce will in no way be affected and that the only question is that of the transit war vessels concerning which the British point of view is regarded as of particular importance.

I understand further that in these conversations the question of the Regime is to a degree being tied to the idea of a Mediterranean pact described in my telegram

767.68119/913
FILED
JUN 8 - 1936

765.84/4439

telegram 180, May 16, 6 p. m.

GILBERT

RR

5/28-9:50
5/28-11:45
5/28-3:45

May 29 1936

In reply refer to
NE 767.68119/913

CONFIDENTIAL

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy and, with reference to this Department's letter of May 16, 1936, concerning the Turkish proposal for the revision of the Straits régime, encloses a copy of telegram No. 189, dated May 25, 1 p.m., from the American Consul at Geneva, on this subject.

767.68119/913

Enclosure:

Telegram No. 189,
May 25, 1 p.m., from
Consul at Geneva.

NE RAH/LS

TCA
5/29/36
amw

MAY 29 1936.

A true copy of the original

EMBASSY OF THE
UNITED STATES OF AMERICA

Istanbul, Turkey, May 12, 1936.

No. 32

Subject: Exchange of Notes between Turkey and Rumania regarding the remilitarization of the Straits.

FOR DISTRIBUTION - CHECK
To the Field
In U. S. A.
Off to MID
JUN 19 1936

DEPARTMENT OF STATE
ASSISTANT SECRETARY OF STATE
JUN 24 1936
A-C/C

DEPARTMENT OF STATE
MAY 26 1936
DIVISION OF NEAR EASTERN AFFAIRS

767.68119/914
FILED
JUN 26 1936

The Honorable
The Secretary of State,
Washington, D.C.

Sir:

I have the honor to transmit herewith the text, as published in LA REPUBLIQUE of May 7, 1936, of a note of April 29, 1936 from the Rumanian Minister for Foreign Affairs to the Turkish Chargé d'Affaires at Bucharest, as well as the Turkish Government's reply dated May 5, 1936. This exchange of notes is considered to represent the outcome of a series of conversations between officials of Rumania on the one side, and Turkey and certain members of the Balkan Union on the other, regarding Rumania's hesitancy in accepting the remilitarization of the Straits by Turkey. Immediately after

ter the delivery of the Turkish notes of April 10th, formally announcing to the powers signatory to the Treaty of Lausanne a desire for revision of its military clauses, reports began to be received in Turkey that Rumania would raise objections. In fact, during the course of the conversation between the Turkish Minister for Foreign Affairs and Mr. Shaw, Counselor of this Embassy, on the evening of April 10th (see Despatch No. 905 of April 14, 1936) the former was called to the telephone and was informed by the Turkish representative in Geneva that M. Titulesco was fearful of the effect upon Hungary and Bulgaria of the Turkish action with regard to the Straits Convention. On April 20th the Berlin radio station broadcast a report that a difference of opinion had arisen between Rumania and Greece on the question of the Straits. According to this report, Greece did not wish to oppose the Turkish project, while Rumania was trying to persuade her to do so and to advocate the maintenance of the status quo. The Secretary General of the Turkish Ministry of Foreign Affairs, M. Numan Menemendjioglu, who had planned a trip to Moscow, changed his itinerary at the last minute and went by way of Belgrade and Bucharest. It is understood that this was for the purpose of bringing about agreement to Turkey's proposals on the part of all the members of the Balkan Union and especially of Rumania. His efforts were apparently successful; and Rumania, before the meeting of the Balkan Union in Belgrade, expressed,

in

in the form of the enclosed note, her willingness to discuss with sympathy the revision of the Straits Convention.

Respectfully yours,

J. V. A. MacMurray.

Enclosures:

1. Text of Note from Rumanian Foreign Minister to Turkish Chargé d'Affaires at Bucharest, dated April 29, 1936;

2. Text of reply from Turkish Chargé d'Affaires at Bucharest to Rumanian Minister for Foreign Affairs, dated May 5, 1936.

Copies sent to Athens, Belgrade, Berlin, Bucharest, Geneva, London, Moscow, Paris, Rome, Sofia, and Tokyo.

720
SWW:er

For translation

see -/916 (Enc.)

(which, however, should be checked.)

Enclosure No. 1 to Despatch No. 32

of May 12, 1936, from the Embassy at Istanbul.

C O P Y

TEXT OF NOTE FROM RUMANIAN MINISTER FOR FOREIGN AFFAIRS, dated APRIL 29, 1936, TO TURKISH CHARGE D'AFFAIRES AT BUCHAREST.

Le Gouvernement Royal de Roumanie a l'honneur de confirmer la réception de votre note du 11 avril 1936.

Vu que la Turquie n'a jamais mis et ne mettra jamais en discussion les clauses territoriales des traités concernant la Roumanie.

Vu qu'entre la Turquie et la Roumanie il existe les traités de Londres en date des 3 et 4 juillet 1933 qui interdisent pour toujours l'agression et en donnent en même temps une définition précise par des règles qui sont à la base des relations internationales des deux pays.

Vu qu'entre la Turquie et la Roumanie il existe un sentiment de confiance et une amitié agissante en vue du maintien de la paix, par le Pacte Balkanique signé le 9 février 1934.

Le Gouvernement Royal de Roumanie, prenant en considération spéciale les circonstances particulières que caractérisent les rapports turco-roumains, a l'honneur de vous communiquer qu'appréciant les nécessités de la sécurité balkanique, il accepte d'entamer, dans l'esprit le plus amical, les négociations dont traite votre note du 11 avril 1936.

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Enclosure No. 2 to Despatch No. 32

of May 12, 1936, from the Embassy at Istanbul.

COPY

TEXT OF REPLY FROM TURKISH CHARGE D'AFFAIRES AT BUCHAREST, DATED MAY 5, 1936, TO RUMANIAN MINISTER FOR FOREIGN AFFAIRS.

J'ai l'honneur de vous accuser réception de votre note du 29 avril dernier, que vous avez bien voulu me faire tenir en réponse à celle de mon Gouvernement datée du 11 avril 1936.

Entendant avec un vif plaisir que le Gouvernement du pays ami et allié se rallie à la thèse de mon Gouvernement relative à la question des Détroits et qu'il ne manquera pas de la soutenir dans les cas échéants, je m'empresse de porter à votre connaissance que mon Gouvernement est entièrement d'accord avec le contenu de la note susmentionnée de votre Excellence.

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June 8 1936

In reply refer to
NE 767.68119/910, 911 & 914

767.68119/914

CONFIDENTIAL

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy and, with reference to this Department's letter of May 29, 1936, concerning the Turkish proposal for the revision of the Straits régime, encloses a copy of despatch No. 1544, dated April 24, from the Embassy at Moscow, a copy of despatch No. 1807, dated May 1, from the Embassy at Tokyo, and a copy of despatch No. 32, dated May 12, 1936, from the Embassy at Istanbul, on this subject.

Enclosures:
From Embassy at Moscow,
Despatch No. 1544.
From Embassy at Tokyo,
Despatch No. 1807.
From Embassy at Istanbul,
Despatch No. 32.

A true copy of the signed original.

NE RAH/GC

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JUN 4 - P.M.

FE
M.M.H

JUN 8 1936. PM

767.68119/915

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767.68119/915

Decimal File Number

Name Gerald K Haines

Date 11/21/79

SUBJECT OR FILE NO.			DATE DUE
767.68119/916			8/11/52
DATE OF DOC.	DOC. NO.	SECURITY CLASS.	DATE CHARGED
5/15/36	D-90		7/11/52
TO / FROM		ENCLOSURES	
Buchanan & Memo NEA 5/26/36			
CHARGE TO			OFFICE SYMBOL
Miss Ward			PB

Form DS-[illegible]a (9-1-51) (Signature) DEPARTMENT OF STATE

16—65587-1 GPO

LEGATION OF THE
UNITED STATES OF AMERICA

No. 90 Bucharest, May 15, 1936.

Subject: Rumanian Reaction to Turkish Request for Revision of the Treaty of Lausanne.

DIVISION OF EUROPEAN AFFAIRS
JAN 3 1938
DEPARTMENT OF STATE

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1936 MAY 26 AM 11 54
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A-M/C
JAN 4 - 1933
ASSISTANT SECRETARY OF STATE

DEPARTMENT OF STATE
MAY 26 1936
DIVISION OF NEAR EASTERN AFFAIRS

The Honorable

The Secretary of State,

Washington.

Sir:

767.68119/907

Referring to dispatch No.82 of May 1, 1936 regarding the reception by the Rumanian Government of the Turkish request to the signatories of the Treaty of Lausanne for modification of certain of its military provisions, I have the honor to transmit herewith a translation of the Rumanian reply to the note of April 11 last from Turkey. It will be noted that this communication is dated April 29th but as had been anticipated, it was not made public until May 7th

1/

767.68119/916

FILED
JAN 5 - 1938

May 7th after the opening of the conference of the Balkan Entente in Belgrade. It is supposed therefore that the reply was drafted after Mr. Titulescu's conversations with the Secretary General of the Turkish Foreign Office, Mr. Menencioglu, the last week in April in Bucharest and that it was finally discussed and approved at the first meeting of the Balkan Entente.

The Rumanian Government emphasizes three points upon which its affirmative reply to Turkey's request is contingent. 1) Turkey is not to bring up for discussion or to discuss the territorial clauses of any treaty affecting Rumania. 2) Observance by Turkey of the non agression pact signed at London July 3, 1934. 3) Observance of the Balkan Pact signed February 9, 1934. These points having been agreed upon, the Rumanian Government, taking into consideration the particular circumstances which characterize Turkish-Rumanian relations and appreciating fully the necessity of Balkan security, agrees in the most amical spirit to undertake the discussions desired by Turkey.

Judging from the statements of the Turkish Minister for Foreign Affairs which have been quoted here, this reply is entirely satisfactory to the Turkish Government. The reception of the reply has also been very favorable here and it is felt by most observers that Mr. Titulescu has once more worked out a shrewd formula to prevent any discussion of Rumania's territorial status. The essence of the solution is that any country may request a reconsideration of the military clauses of its treaties with Rumania, such as Turkey is now doing, only if any

discussion

discussion of territorial clauses is excluded and provided its other treaty committments have been faithfully observed. Furthermore, Rumania would like assurances that such rearmament will be used exclusively for the preservation of the peace of Europe. With such reservations clearly indicated in its reply, it is felt that Rumania has served notice that neither Hungary nor Bulgaria can take her acquiescence to Turkey's request as a precedent for similar action on their part unless they are prepared to accept the same conditions and committments. Thus once again Rumania's constant fear of any discussion of her territorial status, particularly with Hungary, has been allayed.

Respectfully yours,

Leland Harrison.

Enclosure: Translation of the Rumanian reply to the note of April 11, last from Turkey.

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FPH/MJH.

In translation from
DIMINEATA (morning)of
May 6, 1936 (dated May 7)
No. 10,548.

Enclosure No. 1 to Despatch
No. 90 of May 15, 1936 from
American Legation at Bucharest,
Rumania.

RUMANIA'S REPLY TO TURKISH NOTE OF APRIL 11, 1936

Bucharest, April 29, 1936.

Mr. Charge d'Affaires

The Royal Rumanian Government has the honor to confirm the receipt of your note of April 11, 1936.

In view of the fact that Turkey has not and will never bring into discussion the territorial clauses of the treaties which concern Rumania,

In view of the fact that between Turkey and Rumania there exist the treaties at London of July 3 and 4, 1933, which permanently prohibit aggression and which, at the same time, precisely define it by rules that serve as the basis of international relations between the two States,

In view of the fact that between Turkey and Rumania there is a sentiment of confidence, which cannot be overshadowed by any doubt, and an active friendship because of the maintenance of the peace, created by the Balkan Pact signed February 9, 1934,

The Royal Rumanian Government, taking into special consideration the particular circumstances which characterize Turkish-Rumanian relations, has the honor to communicate that, appreciating the necessities of Balkan security, it agrees to begin, in the most friendly spirit, the negotiations mentioned in your note of April 11,1936.

Please accept, Mr. Charge d'Affaires, the assurances of my high consideration.

(Signed) N.Titulescu.

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DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

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THE UNDER SECRETARY
JUN 2 1936
DEPARTMENT OF STATE

May 26, 1936.

DEPARTMENT OF STATE
JUN 4 1936
DIVISION OF
NEAR EASTERN AFFAIRS

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Mr. Phillips:

As a result of a conference with the Turkish Minister of Foreign Affairs on April 22, 1936, Mr. MacMurray gained the impression that the probable outcome of the negotiations proposed by the Turks with respect to the Straits will be somewhat as follows:

> "1) A declaration, ex proprio motu, assuring equally to all nations unimpeded commercial navigation of the Straits, in terms substantially identical with those set up by the Convention, although perhaps taking account of ameliorative suggestions from the maritime nations; and
>
> "2) A treaty or convention, among those Powers having naval interests in the Mediterranean and the Black Sea, establishing some system of control over the transit through Turkish territory of warships and aircraft -- this multilateral treaty possibly being supplemented by bilateral agreements between Turkey and certain of the Powers more particularly concerned."

Proceeding on the assumption that this country's sole practical interest in the matter is "the maintenance (or perhaps the amelioration) of the régime of freedom of commercial navigation through the Straits" and that the United States has no "concern with the military and political aspects of that Convention (Straits)", the Ambassador reaches the conclusion that no useful purpose would be served by our being represented by observers in any conference which may be held for the re-

consideration

767.68119/916

consideration of the Convention, and requests that he be authorized to advise the Turkish authorities that this "Government, while fully appreciative of the importance of the question of the Straits and interested in keeping informed as to the progress of the negotiations, particularly as they affect the commercial navigation of the Straits, has no intention of participating in that conference".

In making this recommendation, however, the Ambassador apparently did not take into consideration the fact that the Navy Department is on record as follows on this question:

> ". . . that provision be made by some formal agreement, treaty or exchange of notes, for the right of vessels and aircraft, public and private, of the United States of America to navigate the Straits of the Dardanelles, the Sea of Marmora, and the Bosphorus on a basis of equality with similar vessels and aircraft of the most favored foreign nation; that the United States should not by any act or undertaking assist to perpetuate the Straits Commission; that if such a Commission is continued the United States should not have a representative on this Commission; and, that we should insist upon our right to deal directly with the Turkish government regarding the rules for navigation of the Straits." (Report of the General Board of the Navy Department under date of June 25,1931.)

These views were reaffirmed by the Navy Department in its subsequent communications on this subject dated August 17, 1935 and May 23, 1936.

It may be observed that these views of the Navy Department, although expressed originally at a time when the question of the demilitarization of the Straits was not in prospect, were reaffirmed on the dates mentioned with specific reference to that contingency. It is suggested, therefore, that before

instructing

instructing Mr. MacMurray on this subject the Department should consult with the Navy Department with a view to reaching a mutual understanding as to the appropriate course of action for this Government to pursue. There has been prepared, therefore, for your approval a suggested communication to the Navy on this subject.

Wallace Murray

RAH/LS

DOCUMENT FILE

NOTE

767.68119/917

SEE 765.84/4544 FOR Telegram #182, 4 pm.

FROM Italy (Kirk) DATED May 29, 1936.
NAME

TO

1—1127

REGARDING: Straits Conference at Montruex on June 22nd. Mussolini's statement that, unless the situation changes, he will not send a delegation to the Geneva meeting on June 16th, but will be represented at- for discussion of the Abyssinian question and possible settlement of the Mediterranean problem.

917

wth

LMS
This telegram must be closely paraphrased before being communicated to anyone. (C)

Rome

Dated May 29, 1936

Rec'd 4:55 p. m.

Secretary of State,

Washington.

182, May 29, 4 p. m.

STRICTLY CONFIDENTIAL.

I am informed that Mussolini has stated that unless the situation changes materially by June 16 especially as regards sanctions and the status of the Negus he will not send a delegation to the meeting of the Council at Geneva but will be represented at the Straits Conference which is scheduled to convene at Montreux on June 22. This latter meeting is looked upon as furnishing an opportunity for discussion of the Abyssinian problem among representatives of the interested European powers and of furthering a possible solution by reaching an agreement on the general Mediterranean problem as a broader basis for understanding.

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In the meanwhile, there is every indication that the military preparedness in Italy is being maintained and even increased activities in certain branches are reported. The fleet is being kept at the height of preparedness. Increases are reported in aviation equipment and in

865.248

offices,

4544

offices, and it is said that new military airdromes are being developed in the northeast sector. As regards the army, it is reported that several new classes are to be called up and that schools in the Piedmont sector are to be closed so as to be available for barracks and the return to Italy of Marshal Badoglio is looked upon as an indication of intensive activities within the General Staff. In fact, the country appears to be fully established on a war basis and the extent of this preparation combined with the mood engendered by the recent successes in Abyssinia has created a state of mind on the part of Italians which is by no means conducive to an attitude of restraint in the face of what they regard as unjustified opposition.

The menace inherent in the present situation cannot be denied. Mussolini has declared that his decisions are irrevocable. He appears to have staked his prestige on maintaining the position which he has established and there is basis for the opinion that any recession from the main lines of that position would be practically impossible. Under that opinion any policy of bluff on his part is excluded for in the last analysis he would have no other course than to make good or try to make good the position which he has declared. Public opinion is firmly

behind

behind him. He has achieved more than he promised and has proved to the people the necessity if not the value of the measures which have been adopted in attaining his ends. He has strengthened the regime by recent administrative measures and it is rumored that fresh steps in this direction, both as regards changes in important offices as well as affecting governmental organizations and bodies, may be expected in the near future. Mussolini, it is believed, is looking for a peaceful solution. To that end it is alleged that he is ready to give other countries, and especially England, every assurance that their interests will be amply respected whether in Abyssinia or Egypt or elsewhere, and the Duce himself has declared that Italy, having attained satisfaction, will be fully occupied in exploiting her conquests and will menace the peace of no nation. To effect such a solution, however, would appear to be impossible if the policy of other countries, and of England in particular, is to be predicated upon a consideration of the moral issues involved in Italy's action in Abyssinia rather than upon a conviction that some solution must be found which will liquidate this particular venture in order that nations may bend their efforts towards the reorganization of international relationships on the basic

principles

principles which have hitherto been acknowledged and which would preclude a repetition of events similar to the one which has created the present situation. Those who are convinced of the grave danger of what appears to be a present deadlock are hoping that a realistic view of the problem may prevail in order to obviate the pursuit of a policy which, on the one hand, might bring about scenes within Italy of which the consequences cannot be foreseen or, on the other, drive Mussolini to precipitate a general conflict in order to demonstrate his power if only by initial successes.

KIRK

SMS:NPL

NE

NE

TELEGRAM RECEIVED

KLP

GRAY

1—1336

FROM

London

Dated June 5, 1936.

Rec'd. 10:35 a.m.

DIVISION OF WESTERN EUROPEAN AFFAIRS
JUN 8 1936
DEPARTMENT OF STATE

June 6 1936 To Navy 6/5/36 RAH/LS

DEPARTMENT OF STATE
JUN 5 1936
DIVISION OF NEAR EASTERN AFFAIRS

767.68119

Secretary of State,

Washington.

297, June 5, 3 p.m.

It is officially announced that the British Government has accepted the invitation of the Turkish Government to attend a Straits Conference at Montreux. This was originally planned for June 22, but with the semi-official intimations of a postponed Council meeting and the announcement of the League Council convening probably the end of this month, a postponement of the Montreux meeting is more than likely.

ATHERTON

KLP:WWC

767.68119/918

FILED
JUN 8 - 1936

1 1

June 6 1936

In reply refer to
NE 767.68119/918

767.68119/918

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy and, with reference to recent correspondence concerning the Turkish proposal for the revision of the Straits régime, encloses a copy of a telegram on the subject from the American Chargé d'Affaires ad interim at London, dated June 5, 1936.

Enclosure:

From Embassy, London,
No. 297, June 5, 3 p.m.

A true copy of the signed original

NE RAR/LS

CR
JUN 6 1936.

~~WE~~
NE

TELEGRAM RECEIVED

McL

Gray.

Geneva (part air)

FROM

Dated June 11, 1936.

Received 7.12 a.m. 14th.

DIVISION OF WESTERN EUROPEAN AFFAIRS
1—1336
JUN 18 1936
DEPARTMENT OF STATE

Letter to Navy 6/16/36 RA=N/LCR

DEPARTMENT OF STATE
June 15 1936
DIVISION OF NEAR EASTERN AFFAIRS

Secretary of State,

Washington. June 17 1936

228, June 11, noon.

I learn from a minister of a participating state that the present arrangement respecting the Conference on the Regime of the Straits is that it will convene as originally scheduled at Montreaux on June 22nd and after setting up committees will adjourn a few days later until after the Assembly, the real decisions not to be taken until the second group of meetings. This is the appearance of a compromise, the Turks desiring the Conference before the Assembly and the British not wishing to participate in any decisions until they could know the Assembly results and also desiring to employ the Council and Assembly sessions as a bargaining ground for action respecting the Straits.

There are no evidences here of any particular Franch policy and the assumption is that France will follow Great Britain's lead.

Consonant with the statement of the Italian representative, reported in my telegram 197, May 28, 2 p.m, third paragraph, he now advises that the Italians will

740.0011 mutual guarantee/51 mediterranean

767.68119/919

FILED
JUN 19 1936

will not be represented at the opening of the Conference but may send an observer. This is a corollary of their general policy non-cooperation with the specific design of placing pressure on the Assembly.

GILBERT.

RR

6/16-4:00
6/17-9:40
6/17-11:50

June 17 1936

In reply refer to
NE 767.68119/919

767.68119/919

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy and, with reference to the Department's letter of June 6, 1936, concerning the Turkish proposal for the revision of the Straits régime, encloses a copy of a telegram on the subject from the American Consul at Geneva, dated June 11, 1936.

Enclosure:
From Consulate,
Geneva, June 11, 1936,
No. 228.

A true copy of the signed original

JUN 17 1936

NE:RAH:LCR
6/16

WE
TCA
6/17/36
amw

Central File: Decimal File 767.68119, Political Relations Of States, Relations; Bi-Lateral Treaties., Political., War. Peace. Friendship. Alliance. Non-Aggression., Turkey And Greece, Termination Of War. Mediation. Armistice., Jan. 2, 1930 - July 23, 1936. January 2, 1930 - July 23, 1936. MS Turkey, Greece, and the Balkan States: Records of the U.S. Department of State, 1930-1944: Records of the Department of State Relating to Political Relations of Turkey, Greece, and the Balkan States, 1930-1939. National Archives (United States). Archives Unbound, link.gale.com%2Fapps%2Fdoc%2FSC5111385556%2FGDSC%3Fu%3Domni%26sid%3Dbookmark-GDSC. Accessed 20 June 2025.